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A letter from George Crochan, Eſq; to Gov. Dinwiddie of Virginia, dated, Winchester, Aug. 24. 1753, certainly authentic.

[As this letter could not have been a ſecret when Capt. Cook was ſent out to examine the Weſtern coaſt of America, it is hoped ſome further light concerning thoſe people may be gained from his voyage.]

May it pleaſe your Honour,

LAſt year I underſtood by Col. Lomax, that your Honour would be glad to have ſome information of a nation of people ſettled to the Weſt, on a large river that runs into the Pacific ocean, commonly called the Welch Indians [32. 360.]. As I had an opportunity of gathering ſome accounts of thoſe people, I make bold, at the inſtance of Col. Creſap, to ſend you the following accounts.

As I formerly had an opportunity of being acquainted with ſeveral French traders, and particularly with one who was bred up from his infancy among the Weſtern Indians, on the Weſt ſide of Lake Erie, he informed me, that the firſt intelligence the French had of them, was by ſome Indians ſettled at the back of New Spain, and in their way home happened to loſe themſelves, and fell down on this ſettlement of people; which they took to be French by their talking very quick; ſo, on their return to Canada, they informed the Governor, that there was a large ſettlement of

French on a river that runs to the ſun-ſetting; that they were no Indians, although they believed they lived within themſelves as the Indians; for they could not perceive they traded with any people, or had any trade to ſea; for they had no boats or ſhips, as they could ſee; and though they had guns among them, yet they were ſo old, and ſo much out of order, that they made no uſe of them, but hunted with their bows and arrows for the ſupport of their families.

On this account the Governor of Canada determined to ſend a party to diſcover whether they were French or not, and had 300 men raiſed for that purpoſe; but when they were ready to go, the Indians would not go with them; but told the Governor, that if they ſent but a few men, they would go, and ſhew them the country. On which the Governor ſent three young prieſts, who dreſſed themſelves in Indian dreſſes, and went with thoſe Indians to the place where the people were ſettled, and found them to be Welch. They brought home ſome old Welch Bibles to ſatisfy the Governor that they were there: and they told the Governor, that theſe people had a great averſion to the French; for they found by them, that they had been firſt ſettled at the mouth of the Miſſiſippi, but had been almoſt cut off by the French there; ſo that a ſmall remnant of them eſcaped back to where they were then ſettled, but has ſince become a numerous people.

The Governor of Canada, on hearing this account, determined to raiſe an army of French and Indians, to go and cut them off; but as the French had been embarraſſed in war with ſeveral other nations nearer home, I believe they have laid that project aſide.

The man that furniſhed me with this account, told me, that the meſſengers that went to make this diſcovery were gone ſixteen months before they returned to Canada; ſo that theſe people muſt live at a great diſtance from here due weſt. This is the moſt particular account I ever could get of theſe people as yet.

I am your Honour's, &c.

GEORGE CROCHAN.

N. B. Gov. Dinwiddie agreed with three or four of the back traders to go in queſt of the Welch Indians, and promiſed to give them 500 l. for that purpoſe; but he was recalled before they could ſet out on that expedition.

A Congratulatory Addreſs, preſented by the Committee of the Proteſtant Aſſociation, on Saturday, Feb. 17. to their Preſident.

To the Rt Hon. Lord GEORGE GORDON, Preſident of the Proteſtant Aſſociation,

The Humble Addreſs of the Committee of the Proteſtant Aſſociation.

My LORD,

CAlled upon by the dictates of duty and gratitude, and in juſtice to ourſelves, and to the ſentiments of affectionate attachment, and unfeigned veneration, which fill the hearts of the whole body of the Proteſtant Aſſociation, it is with inexpreſſible pleaſure that we preſent to your Lordſhip our moſt ſincere and cordial congratulations upon the happy iſſue of your important trial.

We magnify the divine goodneſs which enabled you to meet your trial with ſuch manly fortitude and intrepidity, and to go through it with ſuch aſtoniſhing calmneſs and compoſure of mind, and ſuch amazing attention and recollection, as appeared in the laſt period of that affecting ſcene.

Having, your Lordſhip may be aſſured, ſhared deeply in all your pains and anxieties, we now rejoice in the unſhaken virtue of an honeſt and intelligent jury of Engliſhmen, who put an end to the hardſhips of your Lordſhip's confinement, and delivered you from all the dangers of a proſecution, terrible to the pureſt innocence.

The joy we feel derives a particular reliſh from this, that it is not confined to us, or to the body which we repreſent; but is univerſal among all ranks and orders of people. The general ſatisfaction which your Lordſhip's honourable acquittal has given, is as remarkable as the viſible anxiety for your ſafety which manifeſted itſelf in every place while your life was in jeopardy. Nothing but prudent diſcretion, and a well-judged reſpect for your Lordſhip, prevailed upon your friends to abſtain from the uſual public demonſtrations of joy; that they might not, in this inſtance, be confounded with the unruly effects of a turbulent licentiouſneſs, which has too often affronted decency, and interrupted the quiet of theſe cities, upon occaſion of pretended popularity, to which the preſent bears no reſemblance.

We were witneſſes to your Lordſhip's uniform,

uniform, orderly, loyal, and conſtitutional deportment, in the character by which, in condeſcenſion to our requeſt, you became related to the Proteſtant Aſſociation, when you nobly ſtood forth in the Proteſtant cauſe, and put yourſelf at our head. We had abundant proofs, not only among ourſelves, but in the whole tenor of your Lordſhip's public conduct, of an uncorrupt integrity of heart, and purity of intention. We perceived, among the leading features of your character, ſuch a ſtrict regard to the bonds of conſcience, and the obligations of virtue, morality, and religion, as at this day makes an honourable diſtinction in your ſuperior rank and ſtation of life. We were fully perſuaded, by every thing that fell under our obſervation, of your Lordſhip's ſteady regard for the true intereſt and welfare of your country, of your firm attachment to the principles of the glorious Revolution and our happy conſtitution, of your zeal for the Proteſtant intereſt, and the Proteſtant ſucceſſion to the crown in the illuſtrious family upon the throne; which, when maintained in that inſeparable union that the fundamental laws of the kingdom have joined them, we conſider, as our fathers before us did, to be under God, the great bulwark of the civil and religious rights and liberties of theſe nations.

With ſuch impreſſions upon our minds, we could not but be, and we always were, confident of your Lordſhip's innocence; and that no accuſation that could be brought againſt you would be ſupported with truth and fair evidence.

We have undoubted proof, that the late horrible outrages, in the guilt of which it has been moſt unjuſtly attempted to involve your Lordſhip, were begun by the Papiſts, to throw an odium on the Proteſtant Aſſociation: and we doubt not but they were conſummated, in the dreadful extent of devaſtation to which they proceeded, by lurking incendiaries, ſet on by the ſpies and emiſſaries of our national enemies. It is to us a great comfort, that not one Proteſtant petitioner of 44,000 was apprehended, tried, convicted, executed, or killed among the rioters; while under every one of theſe predicaments Papiſts are to be found. So far God, in his providence, appeared to wipe away all ſuſpicion from the Proteſtant Aſſociation, and to plead your Lordſhip's cauſe, by a ſtriking and almoſt miraculous fact of public notoriety.

We are happy in the reflection, that nothing in our power was omitted to turn to effect the means of ſupporting the juſtice of your Lordſhip's caſe. In this we acted from the heart. We owed it to your Lordſhip, to ourſelves, and to the honour of the cauſe we are engaged in. We alſo think ourſelves greatly obliged to thoſe who had the more immediate charge of your defence, for their zeal and aſſiduity; and to the many honourable and worthy perſons, of every rank and ſtation, who, from a regard to juſtice and humanity, generouſly and voluntarily ſtood forth, to give information and evidence of facts material for your juſtification; a multitude of which came to light in a very ſurpriſing manner.

But to God himſelf we aſcribe all the glory of your Lordſhip's deliverance; and we hope we may, without enthuſiaſm, conſider it as a ſignal mark of his protection and appearance for the cauſe of truth, and a gracious anſwer to the many fervent prayers which were put up in behalf of your Lordſhip, and are now ſucceeded by thankſgiving and praiſes for the great ſalvation the Almighty has wrought for you by his own hand.

The ſame gracious God who covered your head in the day of danger, is able amply to repay whatever is done or ſuffered in his ſervice. We truſt your Lordſhip will never think you can ſerve a better maſter. It is our earneſt wiſh, that he may honour you to be an eminent inſtrument in his hand, of advancing his cauſe and intereſt in the world, of promoting the real advantage of your country, and the general happineſs of mankind. Encouraged by the promiſing pledges of your early years, we pleaſe ourſelves with the flattering expectation, that your Lordſhip will ever eſteem it the nobleſt ambition, the trueſt greatneſs, and the brighteſt character, to ſhine as a good man, a good citizen, a ſincere Chriſtian, and a real patriot.

Pardon us, my Lord, if we intereſt ourſelves, in the warmeſt manner, in your Lordſhip's future happineſs and honour. We can with the moſt ſolemn truth ſay, "The vows of God are upon us" on your account; and we ſhall ever "render praiſes to him, becauſe he has delivered your ſoul from death:" Our

confidence alſo is, that he will at all times "deliver your feet from falling," that you may "walk before God in the light of the living." May the richeſt bleſſings of Providence and grace be your portion and inheritance! And may the Divine Goodneſs never forſake your Noble family and relations, whoſe tender ſympathy and affection have been ſo anxiouſly employed, to ſoften your diſtreſs, and extricate you from danger! Let not any further ſervice we can do be unacceptable to your Lordſhip: and permit us to aſſure you, that nothing ſhall be wanting on our part, to alleviate your ſufferings, or lighten your burden.

By order of the Committee,
JOSHUA BANGS, Secretary.
Lyons Inn, Feb. 17. 1781."

Lord George Gordon's Anſwer.

GENTLEMEN,

I Have the liveſt ſenſe of the divine mercy, by which I enjoy the happineſs of meeting you again, in ſuch agreeable circumſtances. Nothing can efface from my mind the obligations I owe you for your ſteady friendſhip, and the laborious ſervice you ſo cheartully went through for my ſake, when, by my ſituation in priſon, I was unable to do any thing for my own ſafety and protection. I am alſo exceeding ſenſible of the humanity and zeal of all thoſe who any way co-operated with your exertions in my behalf.

I have great reaſon to be thankful to God for the ſupport he afforded me during my long confinement, and that he did not forſake me in the moſt awful moment of my life.

Whatever the neceſſities of a proſecution, ſuch as I have undergone, may have required from the conductors of it, I perſuade myſelf, that no one who knows me can ſuſpect I had any concern in thoſe execrable doings with which it has been attempted to connect me. None can regret or abhor them more than I do. Had not the court very harſhly denied me the opportunity I truſted to, and which I was informed could not be refuſed me, to ſay a word for my life, I ſhould, before that upright and manly jury in whoſe hands it was, have called the great God to witneſs, that I was as innocent as any of themſelves of thoſe diſgraceful outrages; which from my very heart I deteſt, and the idea of which ſhocks my principles as well as my feelings. Whoever were the authors or promoters of ſuch infernal plots, I rejoice exceedingly, that the Proteſtant Aſſociations are pure from the ſtain.

I highly value the favourable opinion you ſo obligingly entertain of me; and the engaging manner in which you take ſuch an intereſt in my welfare, is an additional tie upon me to purſue ſuch a conduct as may not forfeit the eſteem of any good man.

Accept, Gentlemen, of my warmeſt thanks for your affectionate congratulations. The good wiſhes you expreſs for my family and relations, to whoſe tender ſympathy I am ſo much indebted, you may believe gives me particular pleaſure.

There needs nothing more than my own experience to give me the fulleſt confidence in your generous good-will. I feel the weight of gratitude you lay upon me: and if any thing I have done, or ſuffered, can be a pledge for my future life, I hope you will never have cauſe to withdraw your regard, or repent of your kindneſs.

G. GORDON.
Welbeck-ſtreet, Feb. 17. 1781.

To Lord GEORGE GORDON.

MY LORD,

WHile your Lordſhip lay under an accuſation of the moſt ſerious nature, this letter would have been improper. Now that you have obtained an acquittal, I may take the liberty of addreſſing you. In the moment of exultation, you will not feel deeply hurt by the cautions of an anonymous individual; and it will not, perhaps, be a very ungrateful taſk to retrace that conduct which a verdict of your country has, in ſome meaſure, exculpated, which your Lordſhip's followers, I am told, are proud to juſtify. I mean not, however, invidiouſly to recal your paſt actions, except where they naturally lead me to fear, and diſpoſe me to warn the future.

Do me the juſtice to believe, that I have no perſonal animoſity againſt you as a man. On the contrary, I know the eſtimable parts of your private character, and feel a ſatisfaction in the effects of your acquittal on your friends and Noble relations. I plead, my Lord, for the public! that public, which, in times like the preſent, every honeſt man is bound to guard, whether its danger ariſe from the violence of foreign, or the

no-leſs dangerous attacks of domeſtic enemies. In their effects, it ſignifies little whether theſe enemies intend the miſchiefs which they cauſe; nay, deluſion is often more fatal than deſign; attempts apparently hurtful to the community, can be ſupported only by the villanous and the profligate; exertions of deluded patriotiſm gain a footing under honourable names, and make proſelytes among the well-meaning ignorant, and the honeſtly zealous.

The propenſity to be deceived is unhappily too common among the people. Of this your Lordſhip's influence over a conſiderable body of them is a pretty ſtrong inſtance. When we review your public life, it immediately ſtrikes us with ſurpriſe, that you ſhould have been choſen for the ſtation from which all your importance is derived, to wit, the head of the *Proteſtant people*. From your family, however Noble and illuſtrious, Proteſtantiſm (had Proteſtantiſm been converſant in *genealogy*) would not readily have looked for a patron; and Religion, did not her devotions abſtract her from a knowledge of the world, would ſcarcely have ſled for an aſylum to Lord George Gordon.

Your Lordſhip will give me leave to recal to your memory the beginning of that career which has turned out ſo conſpicuous at laſt. Linked with oppoſition in political principles, you laid hold of the diſcontents which a few zealous and rigid Proteſtants expreſſed againſt the Roman Catholic bill, as an engine of attack againſt the miniſter in the Houſe of Commons. This attracted the notice of thoſe aſſociations which the fears of ſome ignorant and the deſigns of ſome turbulent men had formed in various parts of the kingdom; you felt the pleaſures of that power and importance which this conferred; and aſſumed a character, for which, above all others perhaps, nature and education had unfitted you. Political hypocriſy is generally conſidered as venial. You did not, I dare ſay, accuſe yourſelf of diſhoneſty, while you preſided at meetings which had for their object that religion which you ridiculed in private, and that form of it which, from its preciſeneſs, was the moſt diametrically oppoſite to your natural gaiety of temper and levity of diſpoſition. I will do you the juſtice to believe, that you deceived thoſe good people without any ſerious intention, and foreſaw at that time nothing further than the opportunity of a little vexation to a miniſter. You had not then the ſmalleſt idea of the conſpicuous ſtation in which thoſe meetings were to place yourſelf, or the giant miſchief they were to bring upon the public.

In ſome future ſtages of your conduct, your Lordſhip muſt forgive me if I entertain doubts of the innocence of your intentions. It required, methinks, leſs foreſight than your Lordſhip's penetration will claim, to ſuſpect the probable conſequence of ſuch a number of men as your ſummons had convocated in St George's fields going to the Houſe of Commons with their petition. —— But, even allowing that it was not your original plan that ſuch proceſſion ſhould take place, that it was contrary to your deſire that the petitioners actually marched to Weſtminſter, I will try your Lordſhip by your conduct there after their arrival. — You ſaw the ſhameful outrages they had begun to commit; you ſaw the freedom and the dignity of parliament attacked and inſulted in the moſt daring manner:

When inſolence and barbariſm triumph'd,
And ſwept away diſtinction; low were laid
The reverend crozier, and the holy mitre.

You will tell us, it was not your mob who did this; that you had preached peace in the morning, and had no concern in the riots of the afternoon. But let me aſk you, my Lord, did you betray no marks of triumph and exultation at a ſcene the moſt degrading to a Britiſh Houſe of Commons that can be well imagined? When intreated to diſperſe thoſe rioters, which they repeatedly declared you alone could do, did you uſe the power, which I will not ſay you uſurped, but which they certainly owned, to free the Houſe from that diſgrace and inſult it was ſuffering? On the contrary, did you not ſtate matters to them in ſuch a manner as muſt inevitably induce them to maintain the poſt they had occupied? This conduct, my Lord, I will not call treaſon, for your jury have ſaid it was not; it was certainly ſomething criminal againſt the public, whoſe peace thoſe rioters were wounding in the moſt eſſential part. Crimes againſt the public, however, do not always ſtrike us; the wideneſs of the injury prevents the diſtinctneſs of it to our view; and this may ſometimes be pleaded as an apology for him who commits them. But your Lordſhip gave us another criterion

rion to judge you by, which comes more home to the feelings of the individual. You marked out particular victims to that ruffian force which had beſieged the parliament: "The member for Briſtol is now ſpeaking," &c. The atrocity of this ſpeech needs not a comment; the feelings of the moſt uninſtructed will pronounce, that if Mr Burke had fallen, it was *murder*. Yet you boaſt, my Lord, of the purity of your intentions!

Some of thoſe who wiſh well to your family have ſtated an apology for all this. They ſay, in the words of the Prince of Denmark,

It was not *Hamlet*, 'twas his *madneſs* did it.

And ſober men, who cannot eaſily conceive ſuch excentricity as your Lordſhip's, are apt to admit the plea. But while ſuch men are lamenting the miſchiefs of your diſorder, your followers are extolling the wiſdom and ſpirit of your conduct; with theſe you poſſeſs the authority of reaſon, while with thoſe you are allowed the excuſe of inſanity. But the public, my Lord, muſt not ſuffer by either; it has a right to protect itſelf from the criminal machinations of the one, or the blind effects of the other.

One might imagine, my Lord, that experience muſt now have taught you caution. If the purity of your intentions had been ſuch as you repreſent it, your concern for the unhappy conſequences of your actions would have been in proportion. You could not, ſurely, form an idea for your defence, that did not recal to your memory the ſhocking ſcene, of which that defence could only ſtate you as the *innocent cauſe*. You muſt have felt, one would naturally ſuppoſe, the keeneſt anguiſh at the remembrance of thoſe calamities which the fatal month of June witneſſed. Were you, my Lord, an unconcerned ſpectator of the horrors of that night, when London was wraped in flames, quenched only in the blood of thoſe wretches who had raiſed them? Did you feel nothing from the peruſal of that miſerable liſt, whom the actions of that night had doomed to the gallows [42. 417.]? — You muſt have felt, my Lord; but the feeling had left no laſting or ſalutary impreſſion; elſe your behaviour at your trial had not exhibited a mixture of gaiety and inſult. From that behaviour, what are we to augur for the future? What expectations can we form from him whoſe actions have no guard in prudence, no cenſor in conſcience?

Such men the law muſt reſtrain by fear, and correct by puniſhment. You have complained, my Lord, both by yourſelf and your counſel, of the cruelty of the proceedings againſt you; you would perſuade us of the malice and wickedneſs of thoſe whom the crown has intruſted with the proſecution of crimes againſt the ſtate. Where was this complaint of rigour, when Juſtice was obliged to bare her ſword againſt thoſe infatuated men whom your cauſe had (however innocently) led to deſtruction? The public called for vengeance on their heads, and it was executed. Did it never look, do you imagine, to him who had let looſe this havock by his folly, or foſtered it by his guilt? Inquiry was ſurely due to the wrongs of the community; if rank or ſtation is to ſhelter from ſuch inquiry, there is an end of that liberty for which your advocates declaim; of that equal juſtice to which it is the pride of every Britain to feel himſelf intitled. But the truth is, my Lord, that this is not the æra of perſecution, at leaſt from government; the right of perſecution has been confined to the people; your Lordſhip, and your partiſans, can eaſily recollect the moſt remarkable inſtances of its exertion.

The mildneſs, indeed the relaxation, of government, is what we have moſt to complain of. On that were founded thoſe diſturbances which it was your Lordſhip's misfortune to ſet a-foot; and from that they grew to the enormous height of tumult and devaſtation, which good men ſtill ſhudder to recollect. But hope not, my Lord, for a ſimilar opportunity of conſequence to yourſelf, or diſturbance to your country. The fears, if not the virtue, of your fellow-citizens, will call for an immediate check of ſuch attempts hereafter. Be adviſed then, my Lord, and tempt not again that danger from which you have juſt been extricated. Be contented with felicitating yourſelf on the eſcape; or, if your admirers will ſtyle it a victory, enjoy it in ſilence. You have already ſacrificed enough to the ſuffrages of a mob, or to reſentment againſt a miniſter. I ſtill think too well of you to believe, that your own conſcience, when you have leiſure to hear it impartially, will applaud your conduct: and as to that *fame* which ignorance or bigotry may now beſtow, truſt me, my Lord, it will be *diſgrace* with poſterity.

Lond. Chron. Feb. 24.

The

The Trial of Lord GEORGE GORDON for High Treaſon.

THE firſt day of Michaelmas term, Nov. 6. 1780, Mr Erſkine, counſel for his Lordſhip, prayed leave of the court of king's-bench to file a petition of his Lordſhip, which ſet forth, That the petitioner had been committed to the tower on a charge of high treaſon, on the 9th of June laſt [42. 403.]; that three ſeſſions of oyer and terminer had been ſince held for the county of Middleſex, and no bill exhibited againſt him; therefore praying he might be brought to trial. The Attorney-General made no oppoſition, and the court ordered the petition to be filed. The Attorney General, Nov. 10. preſented a bill of indictment againſt his Lordſhip to the grand jury; which they returned, finding *a true bill.*

On this occaſion the Proteſtant Aſſociation did not forget their ſuffering Preſident, as appears by the following reſolutions.

" Reſolved,

1. That as the Proteſtant petition is preſented, that it be recommended to every perſon who ſigned it, not to aſſemble before the two Houſes of Parliament on thoſe days it is taken into conſideration, and that they do not wear any mark or badge of diſtinction.

2. That on thoſe days on which Lord George Gordon is tried, it be ſtrongly recommended to all his Proteſtant friends, that they neither wear nor carry any badge of diſtinction, but that they ſhew every mark of reſpect to the legiſlative authority of this kingdom.

3. That it appears his Lordſhip has ſtood forth with an unſhaken confidence in defence of that very religion which the preſent family on the throne were called to theſe kingdoms to protect and defend.

4. That his Lordſhip has ſtood up with an unſhaken confidence in defence of that religion which was tranſmitted to us at the expence of the blood of our anceſtors, and as being firmly perſuaded, that in whatever ſtate or kingdom Popery was permitted to ſet up her altars, religion and liberty would certainly become the ſacrifice.

5. That his Proteſtant friends do not forget him in a ſuffering moment, but will, on the day of trial, afford him the moſt legal evidence, ſo far as they have been witneſſes of his Lordſhip's conduct.

6. That his Proteſtant friends do not believe he was either the author of, or fomented, the late horrid riots, which now, to our joy, and that of all good Proteſtants and loyal ſubjects, are happily ſubſided.

7. That his Lordſhip's Proteſtant friends ſympathize with him under his preſent bonds and impriſonment. Nothing but the conſciouſneſs of his own innocence, and his ſuffering in ſo good a cauſe, can ſupport him while ſhut out from human ſociety, and confined in a horrid priſon, where ſcarce any rays of comfort are permitted to enter: and though the evidence againſt him may ſeem to ſparkle with the ſhadow of truth, yet they hope, through the wiſe diſpoſer of all human events, that they will diſappear as the ſtars do at the riſing of the ſun; and that he will ſoon quit the horrid abode of a priſon, and ſhine forth like the ſun from behind a dark cloud with redoubled luſtre.

By order of the Chair,
Nov. 8. 1780. L. K. Secretary."

On Wedneſday, Jan. 24. at half paſt nine in the morning, Lord George was brought from the tower to the bar of the court of king's-bench, and his indictment was read to him. To which he pleaded, Not guilty. — The Attorney-General moved, That the priſoner ſhould be again brought to the bar of that court on Monday, Feb. 5. then to be put on his trial. Which being made a rule of court, the priſoner was remanded back to the tower under the cuſtody of the Lieutenant-Governor.—— Lord George was attended into court by his brothers, the Duke of Gordon and Lord William, the Earl of Aboyne, Lord Haddo, Col. Woodford, Mr Dingwall, Mr Erſkine his counſel, Mr Albany Wallis his ſolicitor, and ſeveral other reſpectable friends.

The trial came on accordingly in the morning of Monday, Feb. 5. —— The judges were,

William Earl of Mansfield, Lord Chief Juſtice,
Edward Willis, Eſq;
Sir William Henry Aſhurſt, Kt,
Sir Francis Buller, Kt.

[*To be begun in our next.*]

THE CROWN is of pure gold, enriched with many precious ſtones, diamonds, pearls, and curious enamellings. It is compoſed of a broad circle or fillet which goes round the head, adorned with twenty-two large precious ſtones. Above the great circle there is a ſmall one, formed with twenty points, adorned with the like number of diamonds and ſapphires alternately; and the points are topped with great pearls. The upper circle is elevated or heightened with ten croſſes florée, each adorned in the centre with a great diamond, betwixt four great pearls, placed in the croſs one and one; and theſe croſſes florée are interchanged with ten high fleurs de lis, all alternately with the great pearls below, which top the points of the ſecond ſmall circle. From the upper circle proceed four arches adorned with enamelled figures, which meet and cloſe at the top, ſurmounted with a mond of gold, enamelled blue ſemée, or powdered with ſtars croſſed and enamelled, with a large croſs patée, adorned in the extremities with great pearls, and cantoned with other four in the angles. The tiar or bonnet of the crown was of purple velvet; but in 1685 it got a cap of crimſon velvet, adorned with four plates of gold, and on each of them a great pearl, and the bonnet is turned up with ermine. Upon the loweſt circle, immediately above the ermine, there are eight ſmall holes, two and two, on the four quarters of the crown, which were for lacing or tying thereto diamonds or precious ſtones. The crown is nine inches broad in diameter, twenty-ſeven inches about, and in height, from the under circle to the top of the croſs patée, ſix inches and a half.

The SCEPTRE. Its ſtem or ſtalk, which is ſilver double overgilt, is two feet long, of a hexagon form, with three buttons or knots. Betwixt the firſt button and the ſecond is the handle, of an hexagon form, furling in the middle, and plain. Betwixt the ſecond button and the third there are three ſides engraven. From the third button to the capital, the three ſides under the ſtatues are plain; and on the other three are antic engravings. Upon the top of the ſtalk is an antic capital of leaves imboſſed, the abacus whereof ariſes round the prolonged ſtem, ſurrounded with three ſtatues. Between every two ſtatues ariſes a rullion in form of a dolphin. Above theſe rullions and ſtatues ſtands another hexagon button, with oak leaves under every corner; and above it a cryſtal globe. The whole ſceptre is in length thirty-four inches.

The SWORD is in length five feet. The handle and pommel are of ſilver overgilt, in length fifteen inches. The pommel is round, and ſomewhat flat on the two ſides. The traverſe or croſs of the ſword, which is of ſilver overgilt, is in length ſeventeen inches and a half: its form is like two dolphins, their heads joining, and their tails ending in acorns. The ſhell is hanging down towards the point of the ſword, formed like an eſcalop flouriſhed, or rather like a green oak leaf. On the blade of the ſword are indented with gold theſe letters, JULIUS II. P. The ſcabbard is of crimſon velvet, covered with ſilver, gilded, and wrought in philagram work into branches of the oak-tree leaves and acorns.

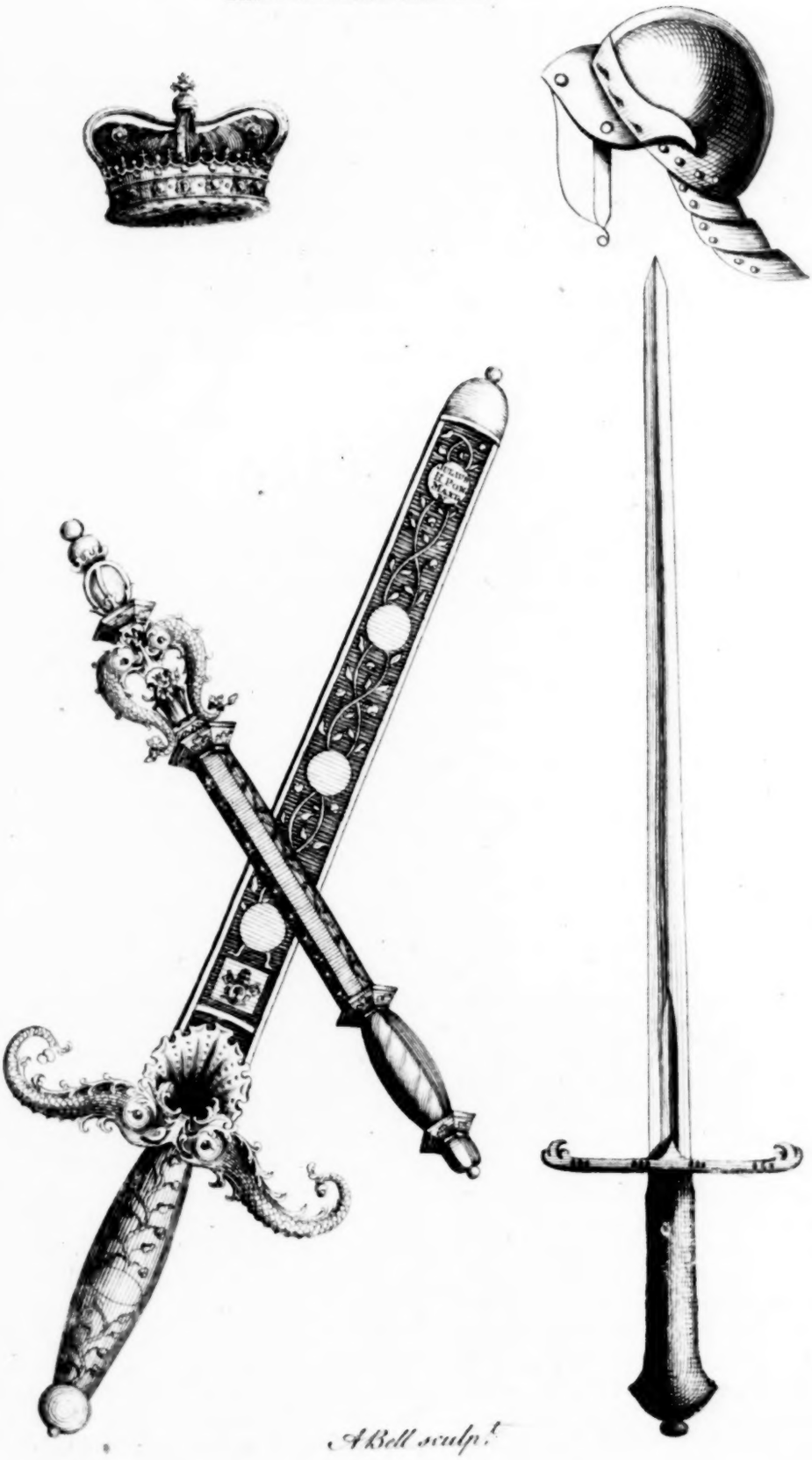
[For a more particular deſcription of the regalia of Scotland, the manner of depoſiting them in the caſtle of Edinburgh, March 26. 1707, and the inſtrument taken on that occaſion, ſee Scots Magazine for 1758, vol. 20. p. 298.]

An account of the Sword and Helmet of the immortal King ROBERT BRUCE.

THE Sword and Helmet are of ſteel; and they have acquired a clear blackiſh colour from age. The Sword is a two-handed one, and the handle is covered with black leather — Both the Sword and the Helmet were preſented, by King Robert's ſon, King David Bruce, to his couſin Sir Robert Bruce of Clackmannan; and they have been preſerved in Clackmannan caſtle, by the deſcendents of this Sir Robert, with the greateſt veneration, till the preſent time. There are ſeveral old long ſwords preſerved in different parts of the country, ſome of too enormous a length to have ever been of uſe in fighting; each of which has inſcribed on it the name of an ancient Scottiſh hero as its original proprietor. But none can claim a greater hero for its ancient proprietor than this ſword juſtly does; nor is the hiſtory of them ſo much to be depended on: for tho' there be no written documents to inſtruct this ſword and helmet's having been preſented, as above mentioned, to Sir Robert Bruce; yet the above account has the ſanction of the univerſal tradition of the family, and of the country around; many of whom go once a-year to Clackmannan caſtle to ſee theſe curioſities; as do alſo many other perſons; all of whom are treated with the greateſt civility. —— King Robert was crowned, at Scone, March 27. 1306, and he died June 7. 1329.

H I-

The REGALIA of SCOTLAND
and the two-handed Sword and Helmet of
KING ROBERT BRUCE.



A Bell sculp.t

HISTORY 1779 continued. [39.]

Retroſpective view continued.

The ſufferings of the refugees, conſiſting moſtly of women and children, (the broken parts and ſcattered relics of families, who had eſcaped to the woods during the different ſcenes of this devaſtation), were little leſs deplorable than thoſe of their friends who had periſhed in the ruins of their houſes. Diſperſed and wandering in the foreſts, as chance and fear directed their ſteps, without any mutual knowledge or communication, without proviſion or covering, they had a long tract of deſerts to traverſe, without guide or direction. They accordingly ſuffered every degree of diſtreſs. Several women were delivered alone in the woods, at a great diſtance from every poſſibility of relief. If theſe, through vigour of mind, or ſtrength of conſtitution, eſcaped, undoubtedly others, in ſimilar and in different circumſtances, periſhed.

Although the fate of Wyoming, and the lamentations of the ſurvivors, had ſerved alternately to freeze every breaſt with horror, and to melt it with compaſſion; yet the various objects and exigencies of the war rendered the Americans incapable, for the preſent, of executing that vengeance on their ſavage enemy, which was, however, fully intended at a proper ſeaſon. Some ſmall expeditions were, indeed, undertaken, which, from the difficulties attending them, and the ſpirit of enterpriſe under which they were conducted, were not deſtitute of merit, and conſequently are not unworthy of obſervation, in the narrative of a campaign not diſtinguiſhed by any activity in the great and ſplendid operations of war.

Of this ſort was an expedition undertaken in the courſe of the ſummer from Virginia, under the conduct of a Col. Clarke, with a ſmall party of between two and three hundred men. It cannot but appear aſtoniſhing to thoſe who have been generally uſed to contemplate military operations only as they are circumſcribed within the narrow confines of European countries, that the object of this enterpriſe was at ſo vaſt a diſtance, as that the party, in their way, were obliged to traverſe no leſs than about 1200 miles, of a boundleſs, uncultivated, and uninhabited waſte, through which they were under a neceſſity of conveying every neceſſary for ſubſiſtence, and every equipment for action. It is, however, to be obſerved, that their conveyance, for much the greater part of the way, was by water.

Their object was the reduction of thoſe French ſettlements which had been planted by the Canadians on the Upper Miſſiſippi, in that fine and fertile region, as it is deſcribed, which taking its name from a noted nation of Indians, is called the Illinois country. It appears that much of the miſchief which had fallen upon the ſouthern and middle colonies from the incurſions of the ſavages, had been attributed to the activity of the governor of thoſe ſettlements, who, ſince the commencement of the troubles, acting as an agent for government, and paying large rewards for ſcalps, had beſides been indefatigable in his continual endeavours of exciting the Ohio and Miſſiſippi Indians, to undertake expeditions againſt the back ſettlements. This conduct was the motive to the preſent diſtant expedition.

The party, after a long courſe down the Monongahela, and what might be conſidered, in point of extent, as a voyage on the Ohio, arrived at length at the great falls of the latter, within about ſixty miles of its mouth; where they hid their boats, and bent their courſe by land to the northward. In this ſtage of the expedition, after conſuming all the proviſion which they had been able to carry on their backs, they endured a hard march of two days without any ſuſtenance. We may, therefore, well credit their aſſertion, that when they arrived in this hungry ſtate, about midnight, at the town of Kaſkaſkias, they were unanimouſly determined to take it, or to periſh in the attempt.

This town contained about 250 houſes, and was ſufficiently fortified to have withſtood a much ſtronger enemy; but as the imagined ſecurity which the people derived from their remoteneſs, forbid all ideas of danger, it of courſe ſuperſeded all precaution againſt a ſurpriſe. This was accordingly as complete as poſſible. The town and fort were taken, without noiſe or oppoſition, before the people were well awake; and the inhabitants were ſo effectually ſecured, that not ſo much as a ſingle perſon eſcaped to alarm the neighbouring ſettlements. The governor, Philip Rocheblave, who was conſidered as ſo inimical to the Americans, was ſent to Virginia, with all the

written inſtructions which he had received from Quebec, Detroit, and Michillimackinack, for ſetting on and paying the Indians. The inhabitants were compelled to take an oath of allegiance to the United States; and the fort became the principal citadel and head quarters of the victors.

A ſmall detachment which was puſhed forward from this place on horſeback, ſurpriſed and took with as little difficulty three other French towns, which lay from fifteen to about ſeventy miles farther up the Miſſiſippi. In all, the inhabitants ſeem to have transferred their allegiance with great facility. Nor were thoſe diſperſed in the country behindhand with them; who, without waiting for any operation of force or neceſſity, flocked in by hundreds to take the new oath.

The ſituation of this ſmall party, in the heart of the Indian country, at the back of ſome of their moſt cruel and hoſtile tribes, in the track of many others, and more or leſs in the way of all, was converted to peculiar advantage, by the extraordinary activity and unwearied ſpirit of their commander. He directed and timed his attacks with ſuch judgement, and executed them with ſuch ſilence and diſpatch, that the ſavages at length found their own mode of war effectually turned upon them. Surpriſed in their inmoſt retreats, and moſt ſequeſtered receſſes, at thoſe times and ſeaſons when they were ſcarcely leſs indiſpoſed for action than unprepared for defence, they experienced in their own huts and families, that unexpected ſlaughter and deſtruction which they had ſo frequently carried home to others. Thus feeling, in the moſt ſenſible manner, thoſe calamities which they were only wont to adminiſter, they grew cautious and timid; and the continual danger to which their families were expoſed, damped, for a while, the ardour of the warriors in undertaking expeditions. In the mean time the Americans in the back ſettlements, not only hearing of Clarke's ſucceſſes, but immediately feeling their benefit, began to ſhake off their terror, and even ſeemed by degrees to partake of his ſpirit and enterpriſe.

An expedition, in ſome degree of the ſame nature, was alſo undertaken, from the remote and upper parts of Pennſylvania in the month of October, under the conduct of a Col. Butler; the preſent being, however, as much directed againſt ſeveral conſiderable ſettlements belonging to thoſe people whom they called Tories (and who, from the violence of their paſt hoſtilities, had become particularly obnoxious) as againſt the Indians, with whom they ſeem to have been intermixed as one people. This party, which conſiſted of a Pennſylvania regiment, covered by riflemen and rangers, took its departure from Schoharie, and having gained the head of the Delaware, marched down that river for two days; from whence, turning off to the right, they ſtruck acroſs the mountains to the Suſquehanna, which was the ſcene of action.

Without entering into a detail of particulars, it will be ſufficient to obſerve, that they totally burnt and deſtroyed both the Indian caſtles or villages in that quarter, and the other ſettlements. But that, notwithſtanding the utmoſt addreſs and precaution were practiſed for the purpoſe of a complete ſurpriſe, the inhabitants, both Tories and Indians, had the fortune to eſcape: a deliverance of no ſmall moment in their ſituation, as the vengeance for Wyoming, where they bore a diſtinguiſhed part, would undoubtedly have fallen heavy upon them. The deſtruction was extended for ſeveral miles on both ſides of the Suſquehanna; in the courſe of which the fruits of a plentiful harveſt, together with the only ſaw-mill and griſt-mill in that whole country, ſhared an equal fate with the houſes and every other article uſeful or neceſſary to man.

The difficulties, diſtreſſes, and dangers, which the party encountered in this expedition, were peculiar to that part of the world, and required no ſmall ſhare of that patient fortitude and hardineſs of body and mind, which can ſcarcely be acquired without long habitude, under certain marked circumſtances of ſituation, by any conſiderable number of men. Notwithſtanding the occaſional aſſiſtance which they derived from their pack-horſes, they were under a neceſſity of carrying ſix days proviſions on their backs, and, thus loaded, continually to wade through rivers and creeks of ſuch a depth and magnitude, that they would ſcarcely appear paſſable, without any incumbrance to men unuſed to ſuch ſervice. In theſe circumſtances, after the toil of a hard march, and in ſome ſituations not venturing to make fires for fear

of

of diſcovery, they were obliged to endure, without cover, the chilling nights and heavy rains peculiar to that climate and ſeaſon; whilſt their arms were rendered uſeleſs, at thoſe times when they were moſt liable to the ſudden attack of an enraged and cruel enemy, whoſe principal effort lay in that ſort of ſurpriſe. Theſe were, however, only ſmall matters, when compared with the danger which awaited their return, and which they hardly eſcaped. This was the ſudden riſing of the great rivers in their way, occaſioned by the continual rains, whilſt they were ſtill in the enemy's country, (who were very ſtrong in that quarter), their proviſions nearly expended, and every moment affording freſh room for apprehenſion that their return would become totally impracticable. A ſtrenuous and bold exertion, to which fortune was, at leaſt, negatively favourable, prevented the fatal conſequences of that event.

In this manner the ſavage part of the war was carried on in America with mutual boldneſs and perſeverance; and waſte and cruelty inflicted and retorted, with infinite variety of ſcenes of horror and diſguſt.

It affords no ſmall degree of pleaſing relaxation, to return from all the rage of war, and all the horrid ferocity of ſavages, and once more to tread in the pleaſing paths of civil life. We have indeed beheld the firſt in its moſt ſhocking and degraded form. Stripped of all that "pomp, pride, and circumſtance," which ſerve ſo ſtrongly to faſcinate the imagination, and diveſted of that glare of glory which throws a ſhade over its deformities, the ghaſtly carcaſs has not only been expoſed in all its nakedneſs, but polluted and diſtained by the bloody hands of barbarians. From ſo horrid a ſcence we naturally turn with pleaſure to trace the tranquil mazes of negotiation, and to review the acts and conduct of men in the moſt refined ſtate of ſociety.

We briefly ſtated in our laſt volume [42. 237.], the inſuperable difficulties which the Congreſs had thrown in the way of that conciliatory ſyſtem with which the commiſſioners had been charged from England to America; and that an acknowledgement of independency, or the total withdrawing of the military force, were the peremptory and only conditions held out by the former upon which they would admit the opening of any negotiation. One of the gentlemen who was appointed in the commiſſion, having ſerved in the navy, on the American coaſt, and afterwards been governor of a province there, had formed conſiderable connections, and an extenſive acquaintance in that country; and he now hoped that theſe circumſtances might be of eſſential ſervice, by uſing them as means to facilitate the attainment of the great object in view. This ſeemed the more feaſible, as his parliamentary conduct, ſince that time, had been in ſuch direct oppoſition to all thoſe meaſures, which were deemed hoſtile or oppreſſive with regard to the colonies, that it could ſcarcely fail of greatly increaſing, inſtead of diminiſhing, any influence which he might then have acquired. Under theſe circumſtances he deemed it reaſonable to conclude, that the direct applications of friendſhip, under the covert and freedom of a private correſpondence, together with the ſanction of perſonal eſteem and opinion, might operate more happily in ſmoothing or removing thoſe difficulties which ſtood in the way of an accommodation, than the ſtiff, tedious, and formal proceedings of public negotiation. He was beſides well aware, as indeed it was publicly avowed, that the commiſſioners laboured under the capital impediment, of the Americans with whom they were to treat, placing no manner of confidence in the faith or equity of the authority under which they acted, but that, on the contrary, their diſtruſt of adminiſtration had grown ſo long, and was become ſo rivetted and confirmed, that they ſuſpected every propoſal that was made, as held out only to circumvent, and as the mere offſpring of duplicity and treachery. To remove this ill impreſſion, would have been evidently an object of the utmoſt importance towards the opening of a negotiation, and the hope of entering into a treaty. But if the accompliſhment of this appeared to be an impracticability, it did not ſeem a very unreaſonable expectation, that the character which this gentleman had acquired in his political capacity, of being an avowed friend to the rights and conſtitutional liberties of America, further ſtrengthened and confirmed by the known principles of the oppoſition in general, with whom he had ſo long acted in parliament, might produce that neceſſary degree of confidence in a private, which unhappily could

not be obtained in a public negotiation.

Under some of these, and perhaps other ideas, he endeavoured to commence or renew a private correspondence with several members of the Congress, and other persons of consideration; thus, in fact, endeavouring to establish a double system of negotiation; the one ostensible, with the Congress at large; the other unseen and private, with individuals, whose influence might not only facilitate, but even in some degree direct, the proceedings of the former. Some of these letters, which have been published, seem rather of an unusual cast, considering the peculiar circumstances and situation of the writer. While, as a common friend to both countries, he pathetically lamented their mutual calamities, he seemed no way sparing in his censure of the conduct and measures on the side of government which led to the present troubles; nor did he any more support the justice of the original claims set up by the mother-country, than he did the prudence or policy of endeavouring to enforce them. Upon the whole, he used a freedom with the authority under which he acted, not customary with those intrusted with delegated power, and afforded such a degree of approbation to the conduct of the Americans in the past resistance which they had made to it, as is seldom granted by negotiators to their opponents. But it was perhaps not ill fitted to confirm that character of neutrality which might have helped him to insinuate himself into the minds of the Americans. [40. 431, 530.]

However right the principles might be upon which this insinuating scheme of conciliation was adopted, its effects were rather untoward; and the Congress affected to consider it in a very different point of view from that in which it had been wished or intended to be placed. The first instance of this disposition that appeared, was in a resolution passed by the Congress, about a week after their first communication with the commissioners. In this, after stating simply as a fact, and without any particular direction, that many letters addressed to individuals of the United States had been lately received through the conveyance of the enemy, and that some of these were found to contain ideas insidiously calculated to divide and delude the people, they therefore earnestly recommended to the governments of the respective states, and strictly directed the commander in chief, and other officers, to take the most effectual measures for putting a stop to so dangerous and criminal a correspondence. [40. 431.]

This was followed by a resolution in the beginning of July, That all letters of a public nature, received by any members of Congress, from the agents, or other subjects of the King of Great Britain, should be laid before that body [40. 530.]. It need scarcely be doubted, that the contents of these objects of inquiry were already well known: but this measure afforded a sanction to the disclosure of private and confidential correspondence; which was indeed necessary to lessen its odium, and at the same time held out authorised ground to the Congress whereon to found their intended superstructure. Several letters being accordingly laid before them, a passage in one from Gov. Johnstone to Gen. Joseph Reed, and in another from that gentleman to Mr Morris, together with an account given by Gen. Reed, of a verbal message or proposal delivered to him by a lady, afforded an opportunity to Congress for entering into those violent measures, by which they interdicted all intercourse and correspondence with Mr Johnstone.

The first of these exceptionable passages went no farther than a sort of general proposition, That the man who could be instrumental in restoring harmony between both countries, would deserve more from all the parties concerned in or affected by the quarrel and reconciliation, "than ever yet was bestowed on humankind."—The second, in the letter to Mr Morris, was more particular. After a complimentary declaration, of believing the men who conducted the affairs of America incapable of being influenced by improper motives, it, however, proceeds upon the subject of the negotiation, in the following terms:—"But in all such transactions there is risk; and I think that whoever ventures should be secured, at the same time that honour and emolument should naturally follow the fortune of those who have steered the vessel in the storm, and brought her safely to port. I think that Washington and the President have a right to every favour that grateful nations can bestow, if they could once more unite our interests, and spare the miseries and devastations of war."

But

But the transaction in which the lady was concerned afforded the principal ground for that indignation and resentment expressed by the Congress. This matter, as stated by Gen. Reed, went to a proposal of engaging the interest of that gentleman in promoting the object of the commission, viz. a reunion between the two countries; in which event he should receive an acknowledgement from government of ten thousand pounds Sterling; together with any office in his Majesty's gift in the colonies. To which Mr Reed, finding (as he says) that an answer was expected, replied, That "he was not worth purchasing; but such as he was, the King of G. Britain was not rich enough to do it." [40. 534.;—41. 718.]

The Congress issued a declaration, Aug. 11. 1778, including three resolutions upon the subject, which they sent by a flag to the British commissioners at New York. The declaratory part contained a recital at length of those passages in the letters which we have taken notice of, together with the particulars of the conversation which had passed between Mrs Ferguson, the lady in question, and Gen. Reed. By the resolutions they determine, That the contents of the said paragraphs, and the particulars in Reed's declaration, cannot but be considered as direct attempts to corrupt and bribe the Congress of the United States of America: That as they feel, so they ought to demonstrate, the highest and most pointed indignation against such daring and atrocious attempts to corrupt their integrity: and, "That it is incompatible with the honour of Congress to hold any manner of correspondence or intercourse with the said George Johnstone, Esq; especially to negotiate with him upon affairs in which the cause of liberty and virtue is interested." [40. 535.]

These proceedings drew out an exceedingly angry and vehement declaration from the gentleman in question; in which, whatever sufficient cause he had for indignation and resentment, the immediate operations of passion were, perhaps, rather too apparent. Those persons, and that body, which were lately held up as examples of virtue and patriotism to all mankind, and whose names seemed to be equalled with the most celebrated in antiquity, were now, not only found to be destitute of every virtue under heaven, but were directly charged with being the betrayers and destroyers of their country; with acting directly contrary to the sense and opinion of the people in general, and of sacrificing their dearest interests to the most unworthy and base motives; and with deluding their unhappy constituents, and leading them blindfold to irretrievable ruin. After charging the Congress with forgetting every principle of virtue and liberty, it creates no surprise that he declares himself indifferent as to their good opinion; nor that their resolution was so far from being a matter of offence to him, that he rather considered it as a mark of distinction.

With respect to the facts or charges stated by the Congress, they are neither absolutely denied, nor acknowledged, by Mr Johnstone in this piece. He consequently does not enter into any justification of his own conduct; but declares a reservation to himself of the liberty, if he should think proper, of publishing, before he left America, such a justification, against the aspersions thrown on his character. He also seems indirectly to deny the charge, by attributing the resolutions to the malice and treachery of the Congress, who intended them only for the purposes of inflaming their wretched constituents to endure all the calamities of war, and as a means for continuing their delusion, thereby to frustrate all the good effects intended by the commission for the restoration of tranquillity. But to defeat their purposes in this respect, he declared, that he should for the future decline acting as a commissioner, or taking the smallest share in any business, whether of negotiation or other, in which the Congress should be any way concerned. It may not be unnecessary here to observe, that this gentleman afterwards absolutely disowned the particular transaction with Mr Reed. [40. 535, 604.]

The tone of this publication accorded but badly with the high and flattering eulogiums which this gentleman had so lately bestowed on the Americans, in those very letters which were the subject of the present contest. In one of these, to Mr Dana, is the following remarkable passage. "If you follow the example of Britain in the hour of her pride, insolence, and madness, and refuse to hear us, I still expect, since I am here, to have the privilege of coming among you, and seeing the country; as there are many men, whose virtues I admire above Greek and Roman names, that I should be glad to tell my children about." The same request,

requeſt, in equivalent terms, appears in a letter to Mr Laurens, the preſident; and in that to Gen. Reed, among other not diſſimilar expreſſions, are the following: "Your pen and your ſword have both been uſed with glory and advantage in vindicating the rights of mankind, and of that community of which you was a part. Such a conduct, as the firſt and ſuperior of all human duties, muſt ever command my warmeſt friendſhip and veneration."

This piece from the Congreſs alſo drew out a declaration in anſwer from the other commiſſioners, viz. Lord Carliſle, Sir Henry Clinton, and Mr Eden; which went to a total and ſolemn diſavowal, ſo far as related to the preſent ſubject, of their having had any knowledge, directly or indirectly, of thoſe matters ſpecified by the Congreſs. They, however, took care at the ſame time to guard effectually againſt any inference that might from thence be drawn, of their implying any aſſent to the conſtruction put upon private correſpondence by the Congreſs, or of their intimating thereby a belief, that any perſon could have been authoriſed to hold the converſation ſtated by that body. With reſpect to the charges and reſolutions, ſo far as they related merely to their late brother commiſſioner, they did not think it neceſſary, they ſaid, to enter into any explanation of the conduct of a gentleman whoſe abilities and integrity did not require their vindication. They, however, gave a teſtimony from their own knowledge to the liberality of his general ſentiments, and the fair and equitable principles upon which he had wiſhed to reſtore the harmony, and to eſtabliſh the union between the mother-country and the colonies, on terms mutually beneficial. [40. 607.]

But the great objects of this declaration, as well as of that iſſued by Gov. Johnſtone, and of other former and ſubſequent publications, were to defeat the effect of the French treaties, to controvert the authority of the Congreſs, with reſpect to its acceptance or confirmation of them, and to render the conduct of that body ſuſpicious or odious to the people. For theſe purpoſes, having firſt laid it down as an uncontrovertible fact, that an alliance with France was totally contrary to the intereſts of America, and muſt in its effects prove utterly ſubverſive, both of her civil and religious rights, they then proceeded to demonſtrate, that ſhe was not bound in honour, nor tied down by any principle of public faith, to adhere to thoſe treaties. In ſupport of this doctrine, they endeavoured to eſtabliſh as proof, that the French conceſſions owed their origin entirely to the conciliatory propoſitions of Great Britain: for that being well aware of the returning union, felicity, and ſtrength, which the lenient conduct of the crown and parliament would immediately introduce throughout the Britiſh empire, the court of Verſailles, merely with a view of prolonging the troubles, and of rendering the colonies inſtruments to Gallic ambition and perfidy, ſuddenly complied with thoſe conditions, and ſigned thoſe treaties, which ſhe had before conſtantly and diſdainfully rejected.

They then proceeded to examine the validity of that ſanction which thoſe treaties were ſuppoſed to derive from the confirmation which they had ſince received in America; and endeavoured much to eſtabliſh, as a general doctrine and opinion, that the Congreſs had far exceeded their powers, both in that reſpect, and in their laying down unreaſonable and inadmiſſible preliminaries, as an inſuperable bar to their own propoſed negotiation, and to defeat, without hearing or deliberation, all the amicable purpoſes of their miſſion. They inſiſted, that the Congreſs were not authoriſed or warranted, by their own immediate conſtitution, to take ſuch deciſive meaſures, and finally to pronounce upon queſtions of ſuch infinite and laſting importance, without recurring to the general ſenſe of the people, and receiving the opinion and inſtructions of their conſtituents, after a full and open diſcuſſion of the different ſubjects in their reſpective aſſemblies.

Upon this ground they pointed all their artillery directly againſt the Congreſs, whom they charged with betraying the truſt repoſed in them by their conſtituents, with acting contrary to the general ſenſe of the people, and with ſacrificing their intereſts and ſafety, to their own ambitious views and intereſted deſigns. Indeed, however ſtrange it may appear, there ſeems no doubt, that, notwithſtanding the repeated trials which the long-continued, various, and extenſive operations of the war, had ſeemed to afford, of the diſpoſition of the people in ſo many colonies, the commiſſioners themſelves were fully perſuaded, that a vaſt majority of them were firmly attached

ed to the British government, and totally adverse to the rebellion. It is, however, to be considered, that all the information they could receive on the subject, was through the medium of men whose minds were violently heated by their sufferings, their losses, their hopes, their loyalty, and undoubtedly, in many instances, by their private and party animosities.

The Congress, and those who wrote in their defence, and apparently with authority, controverted these positions, the inferences drawn from them, and the facts they were founded on. They first attacked the position which would naturally operate with most force upon the minds and opinions of men, viz. that the conclusion of the French treaties was entirely owing to the conciliatory propositions held out by the British parliament. This they asserted to be contradicted by facts and dates; and this point was strongly urged by the American popular writers, particularly Mr Drayton [40.478.], and the author of a celebrated publication, intitled, from the signature, *Common Sense* [38.289.], who with great industry pointed out to the public, the defectiveness, incoherence, or contradiction, of the evidence. But, not satisfied with apparently gaining this point, they undertook to prove the direct reverse of the proposition, and pretended to shew, that the British concessions, instead of being the cause, were the immediate effect, of the French negotiation and treaties. It was shrewdly observed in one of these publications, that the commissioners, who now totally denied that the Congress had any power or authority to conclude the French treaties, had themselves proposed to enter into a treaty with that very body; and that the uncommon chagrin and disappointment which they openly avowed upon meeting with a refusal, was a sufficient testimony, how fully they were satisfied of its competence to that purpose.

In refuting what they asserted as errors of fact on the part of the commissioners, some of these writers did not scruple to avail themselves of the same instrument, and asserted things which were not true, or which are at least highly improbable; particularly, that to bribe the acquiescence of France in the ruin of America, that power was offered a cession of some considerable part of our East-India possessions; and the same privileges and advantages on the coast of Africa which were enjoyed by the subjects of England.

Although the commissioners did not expect, that the facts or arguments stated in their declarations would produce any serviceable effect in the conduct of the Congress, it was still hoped, that they would have operated powerfully upon the people at large. This source of hope being also at length exhausted, and the commissioners convinced by experience, that the design of detaching any particular province, or large collective body of the people, so far from the general union as to enter into a private or separate negotiation, was as fruitless as the attempt of opening a treaty with the Congress in the name of the whole had already proved ineffectual, they determined totally to change their mode of conduct, and to denounce hostility and destruction, in their most terrific forms, to those who had rejected conciliation and friendship. The operations of terror might possibly produce those effects which the smooth language of peace was found incapable of attaining; or, if the loss of America was inevitable, it was determined to render it of as little value to its present and future possessors as possible.

The partisans of the predatory scheme in England, from whom this idea seems to be taken, asserted, that the nature of the country exposed it more to the ravage of such a war as was intended or threatened, than perhaps any other upon the face of the globe. Its vast line of seacoast was indefensible by any possible means, against the efforts of a superior marine, accompanied by such a moderate land-force as would be necessary for the purposes of a desultory and exterminating war; and those numberless navigable creeks and rivers, which had in happier days conveyed commerce to every door, and spread plenty, independence, and industry, through every cottage, now afforded equal means and facility for the carrying of sudden and inevitable destruction home to the most sequestered fire-side. The impracticability of evading the dangers arising from situation was farther increased by that mode of living in small, open, scattered towns and villages, which the nature and original circumstances of the country had prescribed to the inhabitants.

The commissioners accordingly, Oct. 3. 1778, issued and published that signal valedictory

valedictory manifesto and proclamation [40. 607.] which has since been an object of so much discussion at home and abroad, and which has afforded a subject that was no less agitated in both Houses of the British parliament [40. 669, 672.], than in the American Congress.

In that piece they entered into a long recapitulation of facts and arguments, which had been generally stated in former declarations, relative to the French treaties, the conduct and views of the Congress, their criminal obstinacy in rejecting all proposals of accommodation, and their total incompetency, whether with respect to the conclusion of treaties on the one hand, or to their rejection on the other. With an enumeration of their own repeated endeavours for the restoration of tranquillity and happiness to the people, and a review of the great advantages held out by the equitable and conciliatory propositions which they had made, they announce their intention of speedily returning to England, as, under the circumstances of treatment and rejection which they had experienced, their longer stay in America would be as inconsistent with their own dignity, as with that of the authority which they represented. They, however, held out during the remainder of their stay, the same favourable conditions, and should still retain the same conciliatory disposition and sentiments, which they had hitherto proposed or manifested.

The commissioners then thought it necessary to inform and warn the people, of the total and material change which was to take place, in the whole nature and future conduct of the war, if they should still persevere in their obstinacy; more especially as that was founded upon the pretended alliance with France. Upon this subject they expressed themselves as follows: "The policy as well as the benevolence of Great Britain had hitherto checked the extremes of war, when they tended to distress a people, still considered as fellow subjects, and to desolate a country, shortly to become again a source of mutual advantage; but when that country professes the unnatural design, not only of estranging herself from us, but of mortgaging herself and her resources to our enemies, the whole contest is changed; and the question is, How far Great Britain may, by every means in her power, destroy, or render useless, a connection contrived for her ruin, and for the aggrandisement of France.

Under such circumstances, the laws of self-preservation must direct the conduct of Great Britain; and if the British colonies are to become an accession to France, will direct her to render that accession of as little avail as possible to her enemy."

The first act of the Congress in consequence of this manifesto, was a cautionary declaration or notice to the public, Oct. 10. stating, that as there was every reason to expect, that their unnatural enemies, despairing of being able to enslave and subdue them by open force, would, as the last effort, ravage, burn, and destroy, every city and town on that continent, which they could come at; they therefore strongly recommended to all those people who lived in places exposed to their ravages, immediately to build huts, at the distance of at least thirty miles from their present habitations, whither they were to convey their wives, children, cattle, and effects, with all who were incapable of bearing arms, on the first alarm of the enemy.

So far the policy of the measure was prudent and justifiable; but the following clause of this public instrument, however coloured by a display of humanity, confined merely to terms, towards its conclusion, or even covered under the pretence of being intended only to operate *in terrorem*, can scarcely escape condemnation, as being exceedingly reprehensible and unjust in its principle. The resolution is couched in the following words, viz. "That immediately when the enemy begin to burn or destroy any town, it be recommended to the people of these states, to set fire to, ravage, burn, and destroy, the houses and properties of all Tories, and enemies to the freedom and independence of America, and secure the persons of such, so as to prevent them from assisting the enemy; always taking care not to treat them, or their families, with any wanton cruelties, as we do not wish, in this particular, to copy after our enemies, or their German, negro, and copper-coloured allies." [40. 653.]

This was followed, in about three weeks, by a counter manifesto on the part of the Congress, filled with bitterness and acrimony. In this they boast, that since they could not prevent, they strove at least to alleviate, the calamities of war; had studied to spare those who were

were in arms against them, and to lighten the chains of captivity. In contrast to this portrait of their own conduct, they drew a hideous picture of those enormities which they attributed to the other side. They charge their enemy with having laid waste the open country, burned the defenceless villages, and having butchered the citizens of America; that their prisons had been the slaughter-houses of her soldiers, their ships of her seamen; and that the severest injuries had been aggravated by the grossest insults; that, foiled in their vain attempt to subjugate the unconquerable spirit of freedom, they had meanly assailed the representatives of America with bribes, with deceit, and with the servility of adulation.

As a specimen of the spirit which inspired this piece, and the acrimony with which it abounds, we shall give the following passage, in their own language. "They have made a mock of humanity, by the wanton destruction of men: they have made a mock of religion, by impious appeals to God, whilst in the violation of his sacred commands: they have made a mock even of reason itself, by endeavouring to prove, that the liberty and happiness of America could safely be intrusted to those who have sold their own, unawed by the sense of virtue, or of shame."

They conclude the piece with the following threat of retaliation.

"But since their incorrigible dispositions cannot be touched by kindness and compassion, it becomes our duty by other means to vindicate the rights of humanity.

We therefore, the Congress of the United States of America, do solemnly declare and proclaim, That if our enemies presume to execute their threats, or persist in their present career of barbarity, we will take such exemplary vengeance as shall deter others from a like conduct. We appeal to that God who searcheth the hearts of men, for the rectitude of our intentions. And in his holy presence we declare, That as we are not moved by any light and hasty suggestions of anger or revenge, so, through every possible change of fortune, we will adhere to this our determination." [40. 654.]

Thus, unhappily, did the second commission for the restoration of peace in America, prove as futile in the event as the former. Although it would be too much to affirm, that any proposal made by the commissioners, or any circumstances attending their mission, could have been productive of the desired effect, after the conclusion of the French treaties; it would, however, seem, that nothing could have been more untoward in point of time, and more subversive of the purposes of their commission, than the sudden retreat from Philadelphia, which took place almost at the instant of its being opened. However necessary this measure might have been, considered in a military view, the disgrace of a retreat, and the loss of a province, were undoubtedly omens very inauspicious to the opening of a negotiation. It has been publicly said, (however strange it must appear), that one of the commissioners, at least, was totally unacquainted, even at the time of their arrival, that this measure was not only intended, but that the orders for its execution actually accompanied their mission. [41. 23.]

As if Fortune had designed that this commission should have been distinguished in every part of its existence from all others, it was also attended with the singular circumstance, of a letter from the Marquis de la Fayette, (whose military conduct had placed him very high in the opinion of the Americans, as well as in their service), to the Earl of Carlisle, challenging that nobleman, as first commissioner, to the field, there to answer, in his own person, and in single combat, for some harshness of reflection upon the conduct of the French court and nation, which had appeared in those public acts or instruments that he and his brethren had issued in their political capacity. It is almost needless to observe, that such proposal, which could only be excused by national levity, or the heat and inexperience of youth, was rejected by the Noble Lord to whom it was addressed [40. 656.], with the slight that it deserved.

Whilst, &c. [*To be continued.*]

State of Holland at the end of the year 1779 *and the beginning of* 1780.

Population. FROM the accounts which are laid annually before the Prince of Orange, by the tax-office at the Hague, it appears, that there were 4,875,000 souls in the United Provinces in the month of June 1779.

Revenue. The amount of the Dutch revenue was calculated in 1780, as follows.

	£. Sterling.
Internal excifes, -	3,860,000
Cuſtoms, -	470,000
Poll-taxes, -	230,000
Conquered diſtricts,	95,500
Eaſt-India company,	126,000
Bank of Amſterdam,	60,000
Other miſcellaneous articles, -	310,000
	£. 5,151,500

Army. In general the Dutch keep up a ſtanding force of about 40,000 men, all Germans, Switzers, or French refugees; but they have augmented it lately to the following number.

Horſe and dragoons,	6300	53,300
Infantry, -	43000	
Artillery, -	4000	

Navy. In 1777, the report from the Admiralty to the Prince of Orange was almoſt that of no navy at all, in a condition fit for ſea; but they have ſince been very diligent to put their marine on a more reſpectable footing. — At preſent it conſiſts of 1 ſhip of 74 guns, 1 of 70, 14 of 60, 12 of 50, 10 of 46, 5 of 40, and 16 of 30; — in all, 59 ſhips, and 2724 guns.

And it is believed by thoſe who have the beſt intelligence, that in the ſpace of a year they can have ten ſail more of the line ready for ſea. They could man a fleet of ſeventy ſail of the line, if they had the ſhips, but not without greatly diſtreſſing their trade.

Trade. It is an error to think, as many do, that the Dutch have only a remnant of their former commerce. The fact is, it was never better than at preſent: their Eaſt India commerce is exactly what it was; their fiſheries have improved, and their trade to the Baltic is very great. The whole commerce of Holland is ſuppoſed to yield a ſuperlucration of national wealth not ſhort of eleven millions Sterling per annum.

Manufactures of every kind (except bleaching) have declined ſo much, as to be among the pooreſt of their reſources. They have very few fabrics that work for exportation.

Government. This has ſuſtained a great change within forty years. The form is democratical; but it is become almoſt a pure Ariſtocracy. Perhaps the government is more formidable on that account.

PARLIAMENT. [20.]

Sir Fletcher Norton having been prevented, by indiſpoſition, from attending the Houſe ſince the vote of thanks was paſſed [42. 679.], and having appeared in his place on Thurſday Feb. 1. Mr Speaker addreſſed him to the following purport.

"Sir Fletcher Norton,

This Houſe, on Monday, the 20th of November laſt, came to a reſolution to thank you for your conduct in this Houſe.

Your knowledge of the conſtitution makes it unneceſſary to inform you how great a mark of diſtinction is conveyed to an individual by the approbation of ſo important and principal a part of the conſtitution.

Your affection for the Commons of Great Britain, augmented by the ſervices you have rendered to them, and which is the ſubject of the preſent acknowledgement, will, I am perſuaded, excite in you thoſe generous feelings which becomes a perſon conſcious of having deſerved the good-will and thanks of his country.

I will detain you no longer, than whilſt, in the name of the Houſe, and the words of their reſolution, I thank you, Sir Fletcher Norton, late Speaker of the Houſe, for your conduct during the time you filled the Chair in the two laſt Parliaments."

Sir Fletcher, addreſſing himſelf to the Speaker, anſwered,

"Sir, I feel the ſincereſt ſentiments of gratitude and reſpect towards this Moſt Honourable Houſe, for the diſtinguiſhed mark of their eſteem which I have been honoured with, in compliance with the motion of the 20th of November. I conſider myſelf as particularly obliged to you for the very polite terms in which you have conveyed their reſolution reſpecting me."

Mr Fox now entered upon his accuſation of the miniſtry for the appointment of Sir Hugh Palliſer to the Governorſhip of Greenwich hoſpital. This Hon. Gentleman had ſaid, Dec. 4. that he acquieſced in the navy-grants then made, under the idea that the Houſe would, on a future day, examine, by whoſe advice his Majeſty had conferred a poſt of ſuch diſtinguiſhed honour and emolument on a perſon convicted of having preferred a malicious and ill-found-

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ed accuſation againſt his ſuperior officer.—This produced then a debate.

Lord Nugent called Mr Fox to order, and Sir Robert Smith called his Lordſhip to order. Mr Fox, after diſclaiming all perſonalities, and declaring that he acted only from his duty to the public, proceeded.—It was not, he ſaid, merely ſails, maſts, rigging, and timber, that made the navy of England; it was the ſpirit and high ſenſe of honour of its officers! a ſpirit and a ſenſe of honour which could not exiſt, but under a proper adminiſtration of juſtice in the admiralty, by a proper diſtribution of rewards and puniſhments. How then was the navy to be expected to flouriſh, when the perſon convicted of having preferred a falſe and malicious accuſation againſt his ſuperior officer, and who was barely acquitted when tried by a court-martial upon charges exhibited againſt himſelf, was promoted to a poſt of diſtinction, of honour, and of profit. He did not blame that perſon; it was the Firſt Lord of the Admiralty, the Earl of Sandwich, who was alone to blame, who ought to be made the ſubject of that Houſe's inquiry! When the accuſation was brought againſt Adm. Keppel, what had been ſaid? Why, that the accuſer was only the inſtrument, but the Admiralty were the principals. It was they who ſuggeſted, prompted, and ſpurred on the accuſation. It was attempted to be denied on the part of the Admiralty; but what muſt men ſay now, when the accuſer, after being pronounced by the ſenſe of one court-martial, a falſe and malicious accuſer, and being barely, not *honourably*, acquitted by another, was rewarded with an office of high honour, of great emolument! What had been the accuſer's own ſenſe of his conduct after the firſt ſentence? Had he not reſigned his ſeat in parliament, his ſeat at the Admiralty-board? His Hon. friend below him had aſked, Why was not Adm. Keppel, Lord Howe, and others employed? His Hon. friend, from a lapſe of memory only, he was ſure, had omitted the name of another great officer; he meant Sir Robert Harland. The motives why theſe great officers refuſed to ſerve were obvious; they were not private motives, but public motives. The reaſon was, they could not ſerve with confidence nor with ſafety under an adminiſtration guilty of convicted falſehood, and guilty not merely of notorious, but of recorded treachery! This was the reaſon, the true, the only reaſon! There were certainly in the navy ſeveral very worthy and reſpectable officers; men who, having no ſituation like his Hon. relation, had not the ſame riſk to run; men who had no parliamentary connections, no connections which rendered it, in their opinions, likely that the miniſter ſhould endeavour to ruin them. They had his applauſe and his thanks for ſerving, as heartily as he gave his applauſe to Sir George Rodney, to whom it was ſo eminently due. It was the conſtant wiſh of his heart, his conſtant endeavour, to do his country eſſential ſervice; and therefore he hoped that the ſentence of the ſecond court-martial would be moved for after the holidays, at which time he ſhould move for an inquiry into the conduct of the Earl of Sandwich; and he did not ſcruple to ſay his firſt and principal motive for it was, that the Firſt Lord of the Admiralty had promoted an Hon. Gentleman, who had been convicted of having preferred a malicious and ill-founded charge againſt his ſuperior officer; and his ſecondary motive was, becauſe the Hon. Gentleman ſo promoted, when tried by a ſecond court-martial, had been not *honourably*, but very barely acquitted. He concluded after many more obſervations and aſſertions, that the inquiry was eſſential to the public, and eſſential to the navy, and that it ought to be brought on as ſoon as poſſible after the holidays.

Lord North declared, that with regard to the preſent threatened inquiry, he cared not how ſoon it was brought on; the ſooner the better; he was ready to meet it fully and frankly, and to join iſſue upon it with the Hon. Gentleman, and go into the merits without reſerve. The Hon. Gentleman had reſted his reaſons for an inquiry, principally on the ſentence of the court martial which tried Adm. Keppel, in which ſentence the perſon who preferred the charges was deemed a falſe and malicious accuſer: he would only now ſay ſhortly, what he had before ſaid more at large, and ſhould ſay more at large again; the court-martial was convened for the purpoſe of trying Mr Keppel, and not Sir Hugh Palliſer; they had a regular charge ſubmitted to their conſideration againſt the one, they had no charge whatever before them againſt the other; in pronouncing therefore ſentence upon the motives of

the accuſer, they had exceeded the line of their juriſdiction, and had condemned a man unheard, who had no opportunity of trial, no opportunity of entering upon his defence. Reſpecting the promotion of Sir Hugh Palliſer to the government of Greenwich hoſpital, he was ready to avow his ſhare of the meaſure, and to defend and ſupport it in that Houſe, or where ever it ſhould happen to be agitated. The Hon. Gentleman had termed the words of the ſecond court-martial a *bene* acquittal; but he read that ſentence under a widely different conſtruction. His Lordſhip then read the following part of the ſentence: "That the court having taken the whole of the evidence into conſideration, both on the part of the proſecution, as well as in favour of the priſoner, were of opinion, ſo far from the conduct of Sir Hugh Palliſer, Vice-Admiral of the Blue, being reprehenſible on the 27th and 28th of July, that in many parts thereof, it appeared *examplary*, and *highly meritorious*." [41. 714.]. If he underſtood the meaning of the word *meritorious*, according to its true acceptation, it was, that an officer whoſe conduct had been declared, after a moſt ſtrict inquiry into it, to have been *highly meritorious*, was an officer who deſerved reward; and that *examplary* conduct meant ſuch conduct as was a proper example for other officers to follow, and a fit object for imitation. Under this, which appeared to him to be the true and natural reading of the ſentence, Sir Hugh Palliſer was undoubtedly an object of reward; and after his conduct had been declared highly *meritorious* and *examplary*, adminiſtration would have been criminally neglectful not to have given him reward. This his Lordſhip emphatically declared was his opinion of the caſe, he avowed it fully, and he was ready to ſtand or fall by it.

Let gentlemen recollect the particular circumſtances that made Sir Hugh Palliſer's acquittal more than commonly honourable to him; let them call to mind the art that was uſed to let the public in a flame againſt him previous to the trial, the great pains that were taken to run him down, to render him the object of univerſal indignation! Let gentlemen alſo call to mind what was the language of the other ſide of the Houſe, on the ſubject of his impending trial. What had been ſaid by an Honourable Gentleman [Mr Burke.]. "Don't ſend Sir Hugh Palliſer to trial! For God's ſake have mercy! Mens minds are ſo inflamed againſt Sir Hugh Palliſer, that his judges cannot ſurmount their prejudices. If you ſend him to trial now, let him be either innocent or guilty, you ſend him to certain death." When this language is recollected, ſurely every diſpaſſionate man, every impartial reader of the ſentence would regard it, under the circumſtances in which Sir Hugh Palliſer went to trial, as an acquittal which did him the higheſt honour, and which it was the duty of the King's miniſters to pay proper attention to, and to follow with reward and honour.

With regard to the ſort of reward beſtowed, his Lordſhip was aſtoniſhed to hear that called in queſtion, after what had been ſaid previouſly to the ſecond court-martial by the Hon. Gentleman before alluded to. That gentleman, with his uſual benevolence, had earneſtly recommended it to miniſters, to apply to his Majeſty to beſtow upon Sir Hugh Palliſer, for his long and meritorious ſervices previous to the 27th of July, an ample annuity or penſion; and this requeſt he had preſſed with all the force of his eloquence. How happened it then that the tone was ſo different at preſent, when, if he recollected rightly, the government of Greenwich hoſpital added only to the Hon. Admiral's income about 600 l. or 700 l. a-year, his half-pay ceaſing from the hour of his promotion.

The Hon. Gentleman had uſed ſome very fine words againſt adminiſtration, but unfortunately there was not the leaſt truth in them. He had ſaid, that officers who had been named, refuſed to ſerve, "having no confidence in an adminiſtration guilty of *convicted falſehood* and *recorded treachery*." In what did the falſehood and treachery of adminiſtration conſiſt? Another Hon. Gentleman had ſaid, that other officers would be thought fit for Bedlam, if they ſerved under the preſent miniſtry [42. 678.]; it was therefore ſurely equally fair for him to ſay, that the preſent miniſtry would be fit for Bedlam if they employed theſe admirals.

His Lordſhip then ſtated, that Sir Hugh Palliſer's promotion was not ſolely imputable to Lord Sandwich; the whole buſineſs had been conſulted and conferred on by others of his Majeſty's miniſters; he was one conſulted; he adviſed

viſed and acceded to the meaſure, as well as his brethren in office; he made no ſcruple to avow it, he was conſcious of having acted a becoming part, he was ready to meet any inquiry upon the ſubject, and he wiſhed that inquiry might ſoon be inſtituted.

Sir Hugh Palliſer began with declaring, that the Hon. Member in his eye [Mr Fox] had given him abundant cauſe for calling him to order, had he choſen to do it; but that he had ſat a patient auditor, that the Hon. Gentleman might know he was not afraid to hear any thing he could ſay of him, *at any time, in any place, or on any occaſion.*

Such attacks as the Hon. Gentleman had now made on him, he underſtood had been frequent in that Houſe, while he was abſent, and incapable of defending himſelf. The manlineſs of ſuch conduct he left to the conſideration of others. But knowing how unqualified he was to ſpeak in public, both from want of cuſtom and want of ability, and expecting that the virulence which dictated former attacks, would occaſion a renewal of them that day, he had committed a few thoughts and obſervations to writing, which he truſted the Houſe would grant him permiſſion to read, as ſome defence of the moſt injured character in the kingdom. To the Noble Lord [Lord North] who ſat near him, he thought himſelf highly indebted for the very able manner in which he had ſupported his cauſe, and controverted the arguments of his enemies; to the Noble Lord ſome apology was due, for the ſimilarity to his ſpeech which would appear in parts of the manuſcript he was about to read, which having been drawn up before he had heard that Noble Lord, would undoubtedly ſtrike the hearers, as containing ſomewhat of the ſame chain of reaſoning.

After this exordium, Sir Hugh began with ſtating, that he felt leſs wonder at the miſconception of the public, as to the motives that impelled him to prefer the accuſations againſt Adm. Keppel, which had loaded him with ſo much misfortune, becauſe he never had explained them himſelf. When the proper opportunity offered of juſtifying himſelf, he had endeavoured to profit by it, but it had been with-held from him. Since that time, various reaſons had co-operated to induce him, great as the ſacrifice was, to remain a ſilent ſufferer. At preſent he conceived, not to ſay ſomething in his defence, would be conſidered a tacit admiſſion of that baſeneſs and criminality which had been ſo cruelly, ſo falſely, and ſo unjuſtly imputed to him, both within doors and without.

The juſtification of himſelf, and the defence of the motives upon which he acted, in preferring the accuſation againſt Adm. Keppel, had been committed to paper, and tendered by him to the court-martial which tried Adm. Keppel. The court ſeemed inclined to admit it; but Adm. Keppel denied his right, ſaying, "he would oppoſe it to the laſt minute." After ſome conference between the members of the court-martial, Adm. Montagu ſaid, "When the witneſſes in ſupport of the defence were all examined, he ſhould be ready to hear any thing the proſecutor had to ſay." This declaration was apparently acquieſced in by the reſt of the court, and by that he was miſled into an idea that he ſhould be fully heard; otherwiſe he had determined to quit the court immediately upon their denial to admit his paper, and to proteſt againſt the irregularity of their proceedings, of which their conduct had furniſhed him with various inſtances. When Adm. Keppel cloſed his evidence, Sir Hugh ſaid, he again offered to addreſs the court with ſome obſervations; but Adm. Keppel again reſiſted the endeavour, and the court, altho' one of its own members, Adm. Montagu, had promiſed he ſhould be heard when the evidence for the defence was cloſed, reſolved not to hear him; and three days afterwards delivered their judgement, by which, contrary to all juſtice, the accuſed was acquitted, and the accuſer convicted without a trial, and without being heard, either in explanation or juſtification of the motives upon which he had grounded his accuſation.

Extraordinary as the proceedings were, yet it was on the ground of theſe proceedings only, that the Hon. Gentleman who ſpoke laſt had ſo frequently attacked him, and on which he reſted the notice he had given to purſue him ſtill farther, to impeach one of the King's miniſters, and to attempt a final blow to his deſtruction. Before the Hon. Gentleman ventured to go ſo great a length, he might poſſibly think it convenient to conſider the difficulty of the taſk, and to weigh well the probability of his ſucceſs. Whoever made the attempt, would have

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ſo many ſtrange aſſertions to ſupport, ſo many embarraſſing propoſitions to maintain, that it would not be eaſy to find a member of that Houſe ſufficiently confident to venture upon the taſk. —— In order to give the Hon. Gentleman himſelf ſome idea of theſe difficulties, Sir Hugh begged to aſk him a few queſtions. — Would the Hon. Gentleman ſay, that it was conſonant with juſtice, to deny an accuſer the right to reply to a defence criminating himſelf? — Would he aſſert, that where, in the courſe of a public trial, there were two accuſers, it was fair to hear only one? — Would he maintain, that when a perſon accuſed defends himſelf by recrimination, it was either juſt or candid, to refuſe to hear his proſecutor, in reply to that part of the defence which was founded on recrimination? — Would he agree, that it was conſonant with conſtitutional ideas of law and juſtice, to acquit the accuſed after a trial, and to condemn the accuſer without a trial, and without hearing his defence? — Had the Hon. Gentleman forgot, that ſince the Revolution the Twelve Judges had ſigned a paper, declaring their unanimous opinion, that it was the undoubted right of a proſecutor, in caſes of high treaſon, to reply after a defence? and had the Hon. Gentleman forgot that Chief Juſtice Holt was one of the Twelve? — Was the Hon. Gentleman prepared to ſay, that the volumes of ſtate-trials did not abound with frequent inſtances of the exerciſe of this right, not merely in caſes of high treaſon, but equally in caſes of trial of offences of the higheſt, the middle, and the lower order, equally in caſes of miſdemeanor, felony, and treaſon?

Sir Hugh then aſked, if the Hon. Gentleman was ready to controvert, that the late and preſent Chief Juſtices of the Common Pleas when Solicitors-General, had exerciſed the right in queſtion, or apologized for not exerciſing it? that on Mr Horne's trial, the right was challenged by the defendant; but the court declared, it would not bear an argument; and the preſent Lord Chancellor, then Attorney-General, [39. 394, 469.], did reply? Sir Hugh then enumerated caſes in parliament, in all land court-martials, and in naval court-martials, in which the accuſer exerciſed the right of replying to the defence. Would he deny him the right given him by that chapter of Magna Charta by which it was declared, that no Engliſhman ſhould be ſeized, or impriſoned, or deprived of his liberty, his property, or his good name, without trial by his peers? And, laſtly, if the Hon. Gentleman ſhould ever himſelf be ſo unfortunate as to be declared in that Houſe, *a falſe and malicious accuſer*, would he not think it hard to be deprived of the advantage that muſt naturally reſult from the uſe of his eloquence in his own juſtification?

After putting theſe queſtions, and many others, very ſtrongly, Sir Hugh reminded Mr Fox of the uncertainty of human affairs, and the ſtrange viciſſitudes which every man is born to undergo; and drew a powerful picture of the pitileſs and horrid ſituation which he (Mr Fox) would be in, ſhould he, after denying him that juſtice which every Engliſhman, by the conſtitution of his country, and the humane ſpirit of its laws, was intitled to, ever be overwhelmed by a ſimilar preſſure of misfortune. After deſiring Mr Fox to take notice a ſecond time that he warned him, Sir Hugh pronounced the unwelcome addreſs which mankind in general muſt make to him, when he was reduced to the neceſſity of ſuing for that candour and that juſtice which he had denied to others.

Having painted this in the moſt ſtriking colours, Sir Hugh ſaid, if the Hon. Gentleman, notwithſtanding his warning, ſhould be hurried away, by the rage of party, by his zeal for Adm. Keppel, by his hatred to him, or by any other motive, and ſhould perſiſt in declaring him to be a falſe and malicious accuſer, nay even if his *Committee of Safety* [42. 685.] ſhould publiſh their aſſent to ſuch a mockery of truth and juſtice, he ſhould rely with confidence on the wiſdom and juſtice of parliament, and comfort himſelf with the aſſurance, that the Houſe would ever protect the innocent, and diſtinguiſh between the oppreſſed and the criminal.

After lamenting the diſſenſions in the navy, he declared, that if Adm. Keppel's friends perſiſted in their perſecuting ſpirit, in order to drive him out of his profeſſion, he muſt, in his own defence, explain the motives of his conduct in preferring the accuſation; — *an explanation which might poſſibly render the Admiral's acquittal ſomewhat leſs ſplendid and leſs honourable.* This, however, he wiſhed not to do: he was willing to cloſe the ſcene, for the ſake of national quiet; he

would

would forget paſt injuries, if his enemies would abſtain from new provocations.

He had not preferred the charge againſt Adm. Keppel, till the deſign of that Admiral's friends to ruin him appeared evident, and to effect that ruin by undermining arts. In his own defence he became an accuſer, and did it openly and directly, in the character of a public proſecutor. Adm. Keppel choſe a contrary line of conduct: he began with ſuggeſtions and inſinuations; and to the laſt never would, though repeatedly ſolicited, prefer a public charge, but appeared as an evidence againſt him; thus uniting the double character of *accuſer* and *witneſs*.

He then adverted to his original opinion of Adm. Keppel's conduct on the 27th of July 1778: he had ever conſidered, that the Britiſh fleet was led into action in a diſorderly manner at firſt; that, in the beginning of the day, there was too much confidence, too much contempt of the enemy; towards the cloſe of it, too much awe, too much diffidence of themſelves; that they kept at too great a diſtance, and acted with too much confuſion. Immediately on the day of the action, his friendſhip and regard for the Admiral, the remembrance of his former ſervices, and his great name in the world, inclined him to aſcribe his conduct to error of judgement, to ill health, to ill advice, in ſhort to any thing but to criminality: That ſeeing matters in this light, though he did not think the buſineſs of the day merited his approbation, he had rigidly abſtained from cenſure, ſecret ſurmiſe, and underhand detraction. Nor had he at all changed his opinion, or viewed Adm. Keppel's conduct in the harſh light in which it was exhibited in his accuſation, till he was forced to conſider it in a very different point of view from that in which he was at firſt inclined to regard it. At preſent he had no wiſh to alter that part of the ſentence of the firſt court-martial, which acquitted Adm. Keppel: he might err in his judgement as to the validity of his charges, it was the juſtice of his motives alone that he inſiſted upon. Adm. Keppel's friends might load him with honours; they might celebrate his acquittal with votes of parliament, with public illuminations, with city boxes, with triumphal columns; and they might commemorate the day of his acquittal as an anniverſary: he only begged them to deſiſt from attacking him, from loading him with unmerited invective, from deeming him to be what he never had been, nor never would be, a falſe and malicious accuſer!

He concluded with contraſting the different circumſtances under which he and the Admiral went to their reſpective trials. The Admiral had all the prejudice of the nation on his ſide, the whole weight of oppoſition, and was ſecretly aſſiſted by many who publicly avowed themſelves the friends of government: he was tried on ſhore, contrary to all precedent; and during his trial, was kept in countenance by the preſence of the leaders of oppoſition in both Houſes. On the contrary, before he went to trial, he was menaced for deſiring one, and every means uſed to prevent it from taking place. He was rendered the object of general odium, by every poſſible art that could promote ſuch a purpoſe; even his judges were attempted to be prejudiced againſt him. Under all theſe diſadvantages, therefore, he conſidered his acquittal as the moſt honourable circumſtance of his life. And he flattered himſelf, if the Houſe ſhould think an inquiry into the two court-martials neceſſary, that he ſhould not, when that inquiry was over, be deemed a falſe and malicious accuſer.

Adm. Keppel ſaid, he could not ſit ſtill after what had paſſed, but he ſhould only ſay a few words on the occaſion. He would not follow the *Governor of Greenwich hoſpital* (a name by which he would always call the Hon. Gentleman in future) through his long detail. With regard to the act for trying him on ſhore, he was highly indebted to the Houſe for their humanity: had he not been on ſhore, his condition was ſuch, that let the ſentence have been what it might, he could not have ſurvived it, he was ſure he muſt have died. He would abide by the ſentence of the two court-martials. One of them had acquitted him honourably, and had deemed the Governor of Greenwich hoſpital *a falſe and malicious accuſer*. Had it been poſſible for him to have ſuggeſted the wording of the ſentence, *falſe and malicious* were the terms he ſhould probably have uſed, becauſe they beſt expreſſed his ſenſe of it. He had the utmoſt reverence for the wiſdom and juſtice of his judges, the utmoſt gratitude for the favours of that Houſe, and for the applauſe of his country.

try. The proceedings of the court-martials were before the public, every man was capable of judging how far they were liable to challenge or to queſtion. There was but one way to come at the motives which influenced the court-martial in wording the ſentence: Abſolve the members from their oath, call them to the bar, and examine them fully. To this he was ready to conſent. It had never entered into his head to accuſe the Governor of Greenwich hoſpital: he did not entirely approve his conduct; but the Governor being his inferior officer, he thought he could put him by with a *philip*. In part of the detail read by the Governor of Greenwich hoſpital, a great many menaces had been thrown out againſt Adm. Keppel's friends; Adm. Keppel's friends were out of the queſtion; Adm. Keppel was preſent to anſwer for himſelf; and Adm. Keppel would never accept of any compromiſe offered by the Governor of Greenwich hoſpital. He was ready to meet any inquiry: he had gone through one trial with honour, and he doubted not ſhould come from a ſecond equally clean and unſullied; but for the future he begged the Houſe to know once for all, that he ſhould not hold himſelf bound to reply to any thing ſaid by the Governor of Greenwich hoſpital. It was, in his opinion, indecent to take up the time of the Houſe with his private concerns. The ſingle thing he had to reproach himſelf with, was his letter to the Admiralty of the 27th July [40. 387.]. That letter *did not* contain the real ſentiments of his heart. His ſecretary knew what he ſaid to be true; his ſecretary was ready to take his oath in any court in the kingdom, that the letter which he firſt wrote, and that which he ſent to the Admiralty, were widely different. The firſt contained his genuine ſentiments, dictated by his immediate feelings. In the ſecond, good-nature, and his opinion of the Governor's gallantry, got the better of his juſtice; and the truth was, that after altering and altering the letter, he made a ſad piece of work of it.

In regard to what his Hon. relation had ſaid of the *convicted falſehood and recorded treachery* of the Firſt Lord of the Admiralty, he believed that Lord was capable of being guilty of juſt as much treachery as any man could practiſe without rendering himſelf liable to trial and a legal puniſhment. His Hon. relation had told him, before he went out, that the preſiding Lord would firſt deceive and then betray him. Experience had proved it true.

He thanked his Hon. friend who had ſpoken early in the debate, for the reſpectful manner in which he had alluded to him; but his ſerving again under the preſent adminiſtration was out of the queſtion. But why were Sir Robert Harland and other officers, every way his ſuperiors, unemployed? He meant no diſparagement to the officers on board the fleet, many of them he knew to be brave and worthy men; but he would take upon him to ſay, there were abler officers now on ſhore than at ſea: he challenged the Admiralty to controvert the aſſertion; he would enter upon the compariſon immediately, and would undertake to pair them, if his challenge ſhould be accepted.

The Hon. John Townſhend, ſecond ſon of Lord Townſhend, and Mr Smith, ſon of Sir Richard, both new members, ſaid a word or two, both againſt Adm. Palliſer.

Mr Fox ſaid, the people without doors would not follow the Noble Lord's example, and dwell on the words *highly meritorious and exemplary*, and take no notice of the ſtrong words, *a malicious and ill-founded accuſation*. They would ſee, he had ſeen, that a man once convicted of being a baſe and malicious accuſer, never could be reſtored to honour and reputation, by a ſubſequent ſentence of any court whatever. The Noble Lord, the Hon. Gentleman himſelf had ſaid, that the court-martial had declared, "That his conduct was in *many* inſtances exemplary, and highly meritorious." What was this but ſaying, that in *ſome* inſtances it was directly the reverſe? The Hon. Gentleman had complained of being attacked in his abſence. Who was to blame on that account? If he had thought it right to be preſent to defend himſelf, why was he abſent? Who adviſed him to forbear coming into that houſe after the firſt ſentence? Who pointed out to him the propriety, or prudence, of vacating his ſeat in the laſt parliament? "Does not every one feel that it was conſciouſneſs of ſhame, and not conſciouſneſs of innocence, that dictated ſuch a conduct?" — If the argument was true, that the court-martial on the Vice-Admiral had pointed him out as an object of honour and reward, how unjuſt-

ly,

ly, how wickedly, had miniſters behaved towards the unfortunate Vice-Admiral, in ſuffering him ignominiouſly to retire from every poſt of honour, and almoſt every poſt of profit? The fact was, they were conſcious the public voice was againſt them. At preſent miniſters thought their ground ſufficiently ſtrong; and the Noble Lord was loud in challenging an inquiry. Miniſters felt bold; they were ſure of a majority; and therefore dared invite a conteſt. He hoped in God the inquiry would be moved for. —— Mr Fox did not anſwer any of Sir Hugh Pallifer's queſtions.

Mr Pulteney perfectly coincided with that part of Mr Fox's argument, in which he had declared adminiſtration highly reprehenſible for their timidity in not having rewarded and employed Sir Hugh Pallifer ſooner. They had ſuffered him to be ſhamefully run down by party, after they muſt have known that he did not merit the deſcription of a falſe and malicious accuſer, and had left him to fall a victim to popular declamation. Much had been ſaid reſpecting the two ſentences, but nothing about the evidence. He thanked God the public were not bound by the ſentence of any court: the trials were publiſhed, the public might read the evidence, and from thence judge of the juſtice of the ſentence. He had done ſo, and from ſo doing had formed his opinion. Nothing could be more clear, than that the court were convened to try Adm. Keppel, and not Sir Hugh Pallifer; the conduct of the latter was not before them; they were not warranted in pronouncing upon it; nor did the evidence juſtify their condemnation of Sir Hugh Pallifer. As the ſubject was to be reſumed, he ſhould only at preſent repeat, that miniſters were much to blame in not having ſooner done juſtice to Sir Hugh Pallifer, whom he looked upon as the moſt injured man living.

We come now to the proceedings of Feb. 1. —— Before entering on his ſubject, Mr Fox moved for, and the clerk read, the charges preferred againſt Adm[s] Keppel and Pallifer, and the ſentences pronounced; alſo the motion for thanks to Adm. Keppel, and the ſpeech of the late Speaker, Sir Fletcher Norton, with which the thanks of the Houſe were prefaced [41. 256.]. — He introduced his ſpeech with diſclaiming all perſonal enmity againſt Adm. Pallifer, or the Firſt Lord of the Admiralty, who was included in his reprehenſion; his enmity to them, he ſaid, was a public enmity, founded on a conviction, that their conduct had been deſtructive of the naval intereſt of their country. This appointment, and the circumſtances which preceded it, remained ſtrong in the minds of ſome of the firſt characters in the navy. Navy-officers had refuſed the firſt command. Adm. Barrington refuſed to accept any command: it could not be doubted, that he foſtered the diſagreeable and dangerous apprehenſion of being made the object of ſome ill-grounded and malicious charge. It had been endeavoured to reſcue the Vice-Admiral from diſgrace, by contending, that the part of the ſentence of Adm. Keppel's court-martial which related to Sir Hugh was extrajudicial. But how was this proved? Merely by comparing courts-martial to courts of law. But the practice in both was not the ſame; for though in the latter the proſecutor had a right to reply, yet in the former that practice did not uſually prevail; and it was cuſtomary for courts martial *always* to paſs a cenſure on an accuſer who had failed to make good his charge. In the caſes of Capt[s] Cotton and Lee, in 1766, the courts did not think it ſufficient to acquit theſe gentlemen, but pronounced the charges to be vexatious, and grounded only in malice. In the caſe of Gen. Monckton [26. 302.], in 1764, the court charged the accuſer with malice; and declared, that he muſt have impoſed on the ſecretary at war to have been able to procure an order for trying the General. — It might perhaps be aſked, Were recriminations always unjuſt, and muſt they be neceſſarily dictated by malice? In the caſe of Adm. Pallifer, there were circumſtances that demonſtrated malice in the recrimination: Reports had charged him with neglect of duty: he applied, not for a court-martial to try him, but to his commander for a certificate of his conduct [41. 258.]: it was denied: and then, in order to ſhake guilt from his own ſhoulders, he preferred five charges againſt the Admiral; he pretended, that from the day of battle to that on which he had preferred the accuſation, his commander in chief had not done his duty; he pretended, that for the public good he had been ſilent on the ſubject ſo long; and yet ſo little regard had he ſhewn for the public,

that he failed a ſecond time with a man who, in his opinion, either was unequal to the command of a fleet, or had betrayed his duty. Was this the conduct of a patriot? Ought he not, on the contrary, to have ſeized the very firſt opportunity to drag the traitor or coward admiral to trial; and not have ſuffered him to have a ſecond opportunity of diſgracing the Britiſh flag by his ignorance, his cowardice, or his treachery? This would have procured him the public eſteem. But when the world ſaw, that private conſideration, not public good, had ſwayed him; that he accuſed his commander merely to ſcreen himſelf; then, ſurely, every one muſt agree with the court-martial, that the charge was ill-founded and malicious. The Vice-Admiral himſelf ſeemed to think with the judges of his commander: for, inſtead of returning to his ſeat in parliament, and arraigning their conduct, he reſigned his Lieutenant-Generalſhip of the Marines, his ſeat at the Admiralty, his government of Scarborough, and his ſeat in Parliament; and, in return, accepted of the *valuable Chiltern Hundreds*. Was it not fair to conclude, that conſcious guilt, and a dread of facing the world any more, were the cauſe of all theſe reſignations? He was afraid certainly to meet his commander in that houſe; he could not bear to be a witneſs to his triumph; he at firſt had endeavoured to compromiſe the whole affair with Adm. Keppel, when a compromiſe would have been diſgraceful; and when he could not ſucceed in that, he had had recourſe to recrimination; which favoured of the highwayman's argument, "If you don't give me money, I'll blow your brains out;" if you don't certify that my conduct was what it ought to have been on the 27th of July, I will charge you with crimes that ſhall affect your life.—The court-martial acted according to the practice of the navy, and aſcribed the proſecution to thoſe motives which every man muſt ſee who is not wilfully blind. — Recapitulating in his peroration all the arguments contained in a ſpeech that laſted an hour and a half, Mr Fox concluded with a motion, that the Houſe would reſolve, "That the appointment of Sir Hugh Palliſer to the Government of Greenwich hoſpital, who had been declared by a court-martial to have preferred a malicious proſecution againſt his commander in chief, was deſtructive of the diſcipline and derogatory to the honour of the Britiſh navy."

Lord North replied. His Lordſhip had inſuperable objections to the motion in its preſent form, and could not give his aſſent to it: It was ſo worded, that any man who ſhould read it muſt be induced to think, that Sir Hugh Palliſer had been tried for malice: this was not the caſe; and conſequently no man could ſupport a motion that had a falſehood for its only foundation: It aſſerted, that a conviction had taken place: this he likewiſe denied; becauſe a conviction without a trial was no conviction; it was repugnant to every idea of reaſon and juſtice. His Lordſhip aſſured the Houſe, that he had no intention to arraign the members who compoſed Mr Keppel's court-martial; he would impute no blame whatſoever to them, but he would remind the Houſe, that they were then going to act in their judicial capacity, and to convict miniſters of having adviſed the crown to beſtow an employment on an unworthy object, or to applaud them for having rewarded a meritorious ſubject. The queſtion before them was not, Whether Sir Hugh Palliſer had been *convicted* of malice? but, Whether he had ever been *tried* for it? If he had been tried and convicted, miniſters were highly blameable for having recommended him to royal favour; and the Hon. Gentleman would no doubt follow up his motion with others, to which the preſent was only preparatory: but if he had not been tried for malice, then every conviction muſt be extrajudicial. That no trial for malice had taken place, and that the Vice-Admiral had never been heard on that head, was admitted by the Hon. Gentleman, who juſtified the ſentence only by the practice of courts-martial: but certainly it was not the *uſual* practice of ſuch courts; for whenever a conviction of that nature was in contemplation, the judges always allowed the accuſer to defend himſelf on the motives of his accuſation, as in the caſe of Adm. Knowles againſt his Captains, and of his Captains againſt him. — But the Hon. member, finding the argument drawn from what he called the *practice* of the court too weak, and ſeeing the injuſtice of convicting a man of having motives into which no inquiry had been made, took another method of gaining his point, by demonſtrating the malice of the motives, from the antecedent conduct

duct of the Vice-Admiral; the recrimination is called a demonſtration of malice. But ought that to be admitted as a demonſtration? Certainly not; for it is very poſſible, that innocence, integrity, and recrimination, might go hand in hand together. The Vice-Admiral finds, that his conduct is cenſured; he applies to his commander to bear teſtimony to his behaviour, and fails in his application: feeling then as a man of ſpirit ſhould do, who ſees himſelf pointed out as the cauſe why an inferior fleet of France had eſcaped from a ſuperior Britiſh ſquadron, he appeals to the public [40. 624.], and lays the blame where, in his opinion, it ought to reſt. Where is the demonſtration of malice in this? If, after the many attacks that had been made upon him, from quarters that ſeemed to point out that they were not inſignificant people who were concerned in the attacks, he had remained ſilent, he would have deſerved much praiſe for his Chriſtian forbearance, and brotherly love; but ſurely the part he had taken was ſo very natural, that there was no neceſſity to look for malice in it: he did not bring falſe charges; at leaſt the facts were not falſe; for the Hon. Admiral had not denied, but juſtified them. Where then was the ground for a conviction of malice? The Hon. Gentleman deduced it from the Vice-Admiral's reſignations. The reſignations might be good, bad, or indifferent; but if the Hon. Gentleman's doctrine were carried to its full length, every man who reſigns, as the gentleman himſelf might do, a valuable employment, might be ſaid to acquieſce in a charge of guilt, and thereby furniſh evidence againſt himſelf. The Vice-Admiral might perhaps have reſigned for the moſt laudable purpoſes: he might have wiſhed not to diſturb the peace and harmony of his Majeſty's fleet: or perhaps there might have been ſomething perſonal in his reſignation; he might have ſeen a ſtorm gathering, and ſnuffed the tempeſt from afar; to ſeek a ſhelter from it therefore was prudent; — in fact, it was more than prudent, it was neceſſary; — there was a madneſs in the times; the three nights illumination ſhewed that the people were ſeized with phrenzy, and that it was madneſs to contend at that time againſt the ſtorm. The Hon. Gentleman knew well how furious the times had been, when he and his friends had been obliged to go out on a cold night, in February, to *endeavour to QUELL the tumult, and to diſperſe the mob* [41. 422.]. To reſign on ſuch an occaſion, was a mark of prudence; but it muſt be ſtrange logic indeed, that could demonſtrate malice from it. — His Lordſhip concluded by moving amendments; which being inſerted, the motion ran nearly thus: "It is the opinion of this Houſe, That the appointing Sir Hugh Palliſer, Vice-Admiral of the Blue, who appeared by the ſentence of a court martial, to have preferred a malicious and ill-founded charge againſt his ſuperior officer, which court martial was not conſtituted to try him for ſuch offence, and to which he was not permitted to make any defence, to the Government of Greenwich hoſpital; the ſaid Sir Hugh Palliſer having been tried by a ſubſequent court-martial, for his conduct on the 27th of July, and by the ſentence of that court found to have acted in many things exemplarily and meritorioufly; the ſaid Sir Hugh Palliſer alſo having ſerved his Majeſty forty-five years in a civil and military capacity, with courage, wiſdom, and fidelity, is ſubverſive of the intereſt and derogatory to the honour of the navy."—— In lieu of theſe amendments, evidently deſigned to make the original queſtion ridiculous, his Lordſhip offered to adopt general terms, and fairly take the opinion of the Houſe on the appointment, without reference to any particular merit or accuſation. But this was not accepted; in conſequence, a debate enſued on the amendment.

Lord Howe wiſhed, for the ſake of all officers, that it could now be ſettled, whether courts-martial ought to cenſure accuſers who did not make good their charge; he thought, that, for the ſake of commanders in chief, there ought to be ſome power in courts martial to deter inferior officers from accuſing them upon ſlight or frivolous grounds; otherwiſe an Admiral would be obliged to ſoothe his people into a compliance with their duty, without daring to compel them by authority.

Mr Miller ſupported the amendment, and obſerved, that if the appointment to Greenwich hoſpital, a place always conſidered as a place of retirement, could ruin the country, it was not worth ſaving: he ſhewed likewiſe by many ingenious diſtinctions, that a ſentence pronounced by a majority of a court, after

a ſerious inveſtigation, was much more honourable than a raſh good-natured unanimity in opinion.

Gov. Johnſtone proteſted againſt the exiſtence of any power in a court-martial to cenſure an accuſer unheard: attempts of that kind had been made often when he ſat as judge; but they had been always over-ruled. He beheld Sir Hugh Pallifer in a double point of view; as a ſoldier, and a politician: as a ſoldier, he viewed his conduct on the 27th of July with rapture, ranging bravely along the line; backing his topſails, that he might remain the longer in action; wearing to renew it; and, ſhattered, torn, diſabled as he was, turning upon the enemy like a bull-dog: when he ſaw that gallant Admiral hobbling through the Houſe in conſequence of the wounds he had received in his country's ſervice, he challenged all his reſpect, all his admiration. As a politician, he could not approve of his conduct; but he would not deduce an acquieſcence in the charge of malice from his reſignation: for his part, he would not have reſigned; but, as the Noble Lord had juſtly obſerved, the times had run mad, and phrenzy had ſeized the minds of the people. — London had been illuminated three nights for the *diſgraceful* 27th of July; that Houſe had voted thanks for the protection of trade that had not arrived in the channel till our fleet had been in port ſome time; and proofs had been diſcovered of the newly-acquired glory of the Britiſh flag, nine months after the nation had begun to weep over its departed luſtre. That 27th of July was not the brighteſt in the hiſtory of the commander in chief: — there was blame ſomewhere; and when the Admiral praiſed Sir Hugh Pallifer by name, he had acted very wrong if that officer had deſerved reprehenſion. He was ſorry Adm. Keppel was no longer employed; but it was his own fault: if he thought his retreat was the conſequence of Sir Hugh's exaltation, he would condemn it; but if both were in ſome meaſure to blame for conduct on a particular day, that was no reaſon why their former gallant actions ſhould be forgot: he well remembered the zeal of the gallant Admiral, and though he could not recollect the 27th of July without indignation, yet he never would forget the many brilliant actions which counterbalanced that diſgrace. Politics were the bane of the ſervice; the brave Walſh, who had ſent home the extraordinary account of *taken, burnt, and deſtroyed, as per margin*, had ſuffered himſelf to be carried away by party, and had agreed to the confederacy formed by Adm. Bembo's captains to ruin his commander: but when he ſaw his admiral attacked, he could not bear to ſee him torn by the enemy, but, breaking through the confederacy, he inſtantly bore down to his relief. The mere act of confederacy being his only crime, was forgot, and a pardon granted to him in conſequence of his former ſervices. One act ſhould not damn a meritorious officer. Sir Hugh Pallifer in many actions had ſignalized himſelf in a ſervice of forty-five years. He was the darling of Sir Charles Saunders; and the ſeaman-like and gallant manner in which he took a French 74, would ever be remembered by the fleet. Popular infatuation was unaccountable; Sir Hugh Pallifer, for an act of which he was not fairly convicted, was condemned never to ſerve again! And London was three days in a blaze for the inglorious 27th of July. Good God! cried the Governor, putting his hands on his face, and ſhrugging up his ſhoulders, *the 27th of July!* Politics ought never, he ſaid, to interfere with the duty of a ſeaman; and, greatly as he reſpected the Hon. Admiral, he could not but be hurt, at finding him in a Surry committee, declaring that the war with America was unjuſt; and alſo declaring, that the Dutch war, which he deemed both juſt and neceſſary, was founded on a principle of piracy. Thus the officers in both theſe wars were branded with the odious name of pirates, and charged with carrying on an unjuſt war.

After this Adm. Keppel ſpoke thrice, Adm. Pallifer twice, Sir Fr. Baſſet, Ld North, the Solicitor and the Attorney General, and Ld Fr. Campbell, ſpoke in favour of Adm. Pallifer, and Meſſ. Burke, Fox, T. Townſhend, Sir H. Mackworth, Sir Fl. Norton, and Mr Dunning, ſpoke on the other ſide.

A little after two in the morning of Feb. 2. the queſtion being put, the numbers were. For the amendment 214, Againſt it 149

Another debate enſued on the main queſtion, in which Mr Fox and Lord North were up reſpectively five or ſix times. At length this buſineſs was put an end to, by a motion for the order of the day, and at three the Houſe adjourned.

AME-

AMERICA. [28.]

"*Philadelphia, Jan.* 6. The Congreſs, as ſoon as they were informed of the ſyſtem formed by the Empreſs of Ruſſia and her miniſters for the eſtabliſhing a general code for all nations, loſt no time in expreſſing their approbation of the plan, by coming to ſeveral reſolutions on the occaſion at different meetings. At length, on Thurſday, Oct. 5. Congreſs took into conſideration the report of the committee which ſat Sept. 26. on a motion of Mr Livingſton, relative to the declaration of the Empreſs of all the Ruſſias concerning the rights of neutral veſſels; when the ſaid committee agreed, that the regulations it contains are ſalutary, wiſe, and juſt; and on Oct. 5. came to the following reſolutions.

"Her Imperial Majeſty of all the Ruſſias, attentive to the liberty of commerce and the rights of nations, in her declaration to the belligerent and neutral powers, having propoſed certain regulations, founded on the principles of juſtice, equity, and moderation, of which their Moſt Chriſtian and Moſt Catholic Majeſties have already declared their approbation; Congreſs, anxious to demonſtrate their regard for the rights of commerce, and their reſpect for the Sovereign who propoſed, as well as for the powers which have approved the ſaid regulations, do reſolve, That the Admiralty-office ſhall prepare and report inſtructions for the commanders of armed ſhips bearing the commiſſions of the United States, which inſtructions ſhall be conformable to the principles contained in the declaration of the Empreſs of all the Ruſſias concerning the rights of neutral bottoms: That the miniſters-plenipotentiary of the United States, in caſe they ſhall be invited thereto, ſhall be reſpectively authoriſed, as they are authoriſed by theſe preſents, to accede to ſuch regulations, conformable to the ſpirit of the ſaid declaration, as ſhall be framed by the general congreſs which is expected to aſſemble in *Europe* in conſequence of her Imperial Majeſty's invitation.

Ordered, That copies of the above reſolution be ſent to the reſpective miniſters of the United States at foreign courts, and to the Hon. the Miniſter-Plenipotentiary from *France*."

It is impoſſible to add any thing to the threefold eulogium of Congreſs in their reſolution of the 26th of September, of the auguſt Catherine the Second, who, with the ſame hand with which ſhe perfects the work of Peter the Great, plans univerſal laws, from whence will ſpring the happineſs of all nations."

The Britiſh land-forces in North America in the end of laſt year are ſtated thus.

Under Gen. Clinton, at New York:
Grenadiers 1000, light infantry 1000, the 22d, 37th, 38th, 42d, 43d, 54th, 57th, and 76th regiments: Provincials, one battalion De Lancey, two battalions of Skinner: Heſſians, if complete, about 9000; two battalions of Anſpach; yagers and chaſſeurs 500.

Under Maj.-Gen. Leſlie:

Guards, two battalions, under Brig.-Gen^{s} O'Hara and Howard,	700
17th, remains of, with drafts from provincial corps, under Col. Watſon of the guards, - -	300
82d, Hamilton regiment, detachment from, under Major Craig,	300
84th, Highland emigrants, detachment from, under Major Small,	200
Two regiments of Heſſians,	800
Yagers and Anſpach chaſſeurs,	200
Fanning's provincial corps, -	250
Total,	2750

Gen. Leſlie ſailed from New York Oct. 16. 1780, and in a few days after landed in Virginia, and took poſt at Portſmouth [42. 647.]. At the mouth of James river, the men of war that convoyed him took many valuable prizes. On James river he was at too great a diſtance from Lord Cornwallis; and his force was too ſmall to garriſon poſts, and to keep the field. He therefore had orders ſent him to imbark; which he did the end of November, and ſailed for Charleſtown; where he arrived the 13th of December, and marched on the 19th, with 1500 men, to join Lord Cornwallis on the frontiers of North Carolina [24.].

Under Brig.-Gen. Arnold.

80th, or Edinburgh regiment, under Lt-Col. Dundas, -	600
Queen's rangers, horſe and foot, under Lt-Col. Simcoe, -	600
Col. Beverly Robinſon's provincials, under his ſon, Lieutenant-Colonel, - -	250
Arnold's own corps, -	200
Total	1650

Under

Under Lt-Gen. Earl Cornwallis, in Carolina and Georgia.

The 7th, 23d, 33d, part of the 60th, 63d, 64th, and 71ſt, beſides ſome regiments Heſſians.

Provincial corps.

Lt-Col. Tarleton's legion.
Volunteers of Ireland, under Lord Rawdon.
New-York volunteers, Lt-Col. Turnbull.
Col. Montfort Browne's corps.
South Carolina royaliſts, Col. Innes.
Two battalions of De Lancey's.
Lt-Col. Brown's Florida rangers.

The unfortunate Maj. André ſays, in a letter to Gen. Waſhington [42. 586.], "Thus was I betrayed into the vile condition of an enemy in diſguiſe within your poſts." The following circumſtances may perhaps explain that paſſage. "When Maj. André went to conſult with Gen. Arnold, he was carried to the houſe of a Mr Smith, brother to the Smith lately appointed Chief Juſtice of New York by Gen. Robertſon. While Maj. André was communicating with Gen. Arnold, he lived at the houſe of Smith, and wore Smith's cloaths; and when he ſet out from Waſhington's camp, Smith attended him till within about twelve miles of Kingſbridge, where André told him he knew his way perfectly well. Juſt after Smith left him, he was taken, and at that very time he had on Smith's cloaths. Waſhington has tried Smith for being concerned in what they call Arnold's conſpiracy: but the trial has turned out a mere farce; for Smith has not ſuffered any puniſhment. The people at New York therefore believe, that Smith betrayed André to the rebels."

Gen. Clinton, in his diſpatches dated in January laſt, mentions his having ſent ſeveral meſſages and propoſals to the body of troops who had revolted from Waſhington's army; that two of his meſſengers returned; but that the revolters had delivered other two of his meſſengers to Congreſs, "in order (ſay they) that we ſhould remove every doubt of ſuſpicion and jealouſy [26, 27, 28.]." According to other accounts, the perſon who prevailed with them, by his perſuaſions, and the efficacy of a hundred guineas, to deliver up theſe meſſengers, (whoſe names were Maſon and Ogden), was Gen. Wayne, who pretended, that they were wanted only that they might be ſifted by examination: but as ſoon as they were delivered up, they were carried acroſs the Delaware, and hanged. —— In Gaine's New-York Gazette of Jan. 22. an article, dated, Chatham, Jan. 17. runs thus: "Laſt Thurſday, the emiſſaries mentioned in our laſt to have been taken, were executed." Whether theſe be the ſame, does not with certainty appear.

By the Grantham packet, which arrived in England about the middle of February, diſpatches were received, by which the melancholy certainty of the loſs of the Stirling-caſtle (which, and the Thunderer, Adm. Parker [42. 660.] hoped were on their paſſage home after the dreadful ſtorms in the Weſt Indies) is eſtabliſhed, ſome of the men belonging to her having been taken up at ſea by an American veſſel, and carried into Philadelphia; and there were no accounts whatever of the Thunderer.

"*London, Jan.* 8. Our loſſes in the Weſt Indies, already known, are computed at three millions Sterling."

M. de Rouille, ſecretary to the committee of merchants at Paris for raiſing a ſum for the immediate relief of the Weſt-India iſlands which have ſuffered by the tornado, in a letter, dated, Paris, Jan. 20. ſays, "By the moſt authentic advices now before the committee, a calculation is made of the whole loſs France is ſuppoſed to have ſuſtained, which is as follows, computed at Sterling money.

At Martinique	L. 470,000	
Guadaloupe	180,000	
St Domingo	200,000	L. 1,210,000
Grenada	90,000	
Dominique	200,000	
St Vincent's	70,000	

In the London gazettes of Feb. 3. & 6. there are extracts of letters from Adm. Rodney and Maj.-Gen. Vaughan, commanders in chief of the Britiſh ſea and land forces at the Leeward iſlands, viz.

Adm. Rodney to Mr Stephens, dated, St Lucia, Dec. 12. 1780.

"I have the honour to acquaint you, that on my arrival at this iſland, I received all their Lordſhips orders, and your letters, which have been tranſmitted to me from the 10th of July to the 20th of October; and muſt deſire that you will pleaſe to inform their Lordſhips, that Gen. Vaughan and myſelf are determined to undertake an enterpriſe, which we flatter

flatter ourſelves will be attended with ſucceſs; an account of which I hope I ſhall ſend to their Lordſhips in a very few days.—Four ſail of the enemy's line-of-battle ſhips, from their ſquadron at St Domingo, are in theſe ſeas. I ſhall do my beſt endeavours to take or deſtroy them, before the force which the enemy hourly expect arrives."

Gen. Vaughan to Lord George Germain, dated, Sandwich, off St Lucia, Dec. 22. 1780, received by the Hornet ſloop of war.

"I have the honour to inform your Lordſhip, that the Admiral and myſelf, having many reports made to us of the ruinous ſtate of the iſland of St Vincent in conſequence of the hurricane, and being ever anxious for the recovery of any of his Majeſty's poſſeſſions, we judged it proper, as the fleet was going to cruiſe, to ſee with what foundation theſe reports were made, and whether any advantage could be taken of their ſituation: we therefore imbarked 300 of the flank-corps, and appeared off the iſland on the 16th, and with them landed the body of marines; whom I marched four miles up the country, to be able to reconnoitre the enemy's works; which, on viewing, I found ſo perfectly ſtrong, and well fortified, both by art and nature, that I am convinced treble our numbers would have made it a very doubtful undertaking. Upon ſignifying my opinion to the Admiral, it was agreed, the troops ſhould reimbark; which they accordingly did on the 17th, without meeting the leaſt moleſtation. — Your Lordſhip may be aſſured, that, on every favourable opportunity, no exertions in my power ſhall be wanting; and I flatter myſelf, that the precautions obſerved on the preſent occaſion will meet with his Majeſty's approbation."

Adm. Rodney to Mr Stephens, dated, Sandwich, St Lucia, Dec. 22. 1780, received by Capt. Edwards, of his Majeſty's ſloop the Hornet.

"In my laſt diſpatches, ſent by the Anna Thereſa packet on the 13th inſtant, I acquainted their Lordſhips, that Gen. Vaughan and myſelf intended to undertake an enterpriſe, which we flattered ourſelves might be attended with ſucceſs.

On the 14th inſtant, we ſailed from Groſs-iſlet bay, in hopes of being able to land the troops on St Vincent's the next morning; but the currents baffling us, we did not make that iſland till the 15th in the evening, and then at ſuch a diſtance to windward as not to be diſcovered by the enemy. We anchored about two in the afternoon in Warrawarou bay. All the troops and marines were landed; and before the day cloſed, Gen. Vaughan had put the whole in motion, and at their head advanced towards the enemy's citadel.

I could eaſily perceive, on my approaching the iſland, and viewing the enemy's works, which they had erected upon the mountain that commands Kingſton bay, and that of Warrawarou, that the whole appeared in perfect repair, with a numerous and ſtrong garriſon. However, ſuch was the ſpirit of Gen. Vaughan, that he marched to the foot of the works, (having diſperſed every impediment in his way), and reconnoitred them in every part, in hopes to find ſome place vulnerable where he might make the attack with a probability of ſucceſs; but finding they were in every part complete, I concurred with him in opinion, that an attack ought not to be hazarded with the force he commanded. The troops therefore returned to the beach, and were reimbarked, without the enemy's daring to move from their intrenchments."

A ſhort while after the engagement commenced between Adm. Rodney and M. Guichen, April 17. 1780 [42.257.], a game-cock that had been principally fed upon the main-deck, and was much careſſed by the ſailors, immediately after the firing began, flew upon the quarter-deck, and took his ſtation near Sir Geo. Rodney and Gen. Vaughan. The feathered hero ſeemed not only to enjoy the conflict, but endeavoured, by every means in his power, to inſpire all within hearing of him with the love of glory; for every five or ſix minutes he was ſure to ſet up a loud crow; and continued to ſtrut the deck, and conduct himſelf in this manner during the whole of the engagement. Sir George, pointing to the phenomenon, called out to the General, in the heat of the engagement, "Look at that fellow, Vaughan, by G— he is an honour to his country." Chanticleer, it ſeems, eſcaped unhurt; and, as the reader may ſuppoſe, has been ever ſince honoured with the particular attention of the commander in chief.

From

From Dr Henry's Hiſtory of Great Britain, vol. 4. lately publiſhed. [39. 612.].

Changes in the conſtitution, &c. in the reign of Henry III. from 1216 *to* 1272.

THE Great Charter, granted by King John towards the concluſion of the former period, contains a very diſtinct and authentic plan of the Engliſh conſtitution, as it ſtood at that time; at leaſt in ſpeculation. As ſoon as this great charter was obtained, it became the idol of the people of England, who eſteemed it the great ſecurity of their moſt valuable rights and liberties. But it was not viewed with the ſame favourable eyes by thoſe who had the adminiſtration of government in their hands, who were very backward in executing its moſt important articles. This produced frequent and earneſt cries for the execution and confirmation of that famous charter; and theſe cries were effectual when the King and his miniſters ſtood in particular need of the favour and aſſiſtance of the people, who commonly paid for theſe confirmations by liberal grants of money. Accordingly, the Great Charter was confirmed, (with ſome variations, occaſioned by the change of circumſtances), no leſs than ſeven times in the reign of Henry III. In the ſecond year of this reign, A. D. 1217, the articles reſpecting the royal foreſts were left out of the Great Charter, which was then confirmed, and formed into a ſeparate charter, called *Charta de Foreſta*; and theſe two charters after this were always ſeparated.

Some changes were made in the ranks and orders of men in ſociety, in the reign of Henry III. Thoſe in the loweſt rank were ſtill in the ſame wretched ſtate of ſervitude as formerly. Of this we have ſufficient evidence in the Great Charters of that prince, in which thoſe who had the cuſtody of the eſtates of minors are prohibited from deſtroying or waſting the men or cattle upon theſe eſtates, placing both on the ſame footing. According to Bracton the famous lawyer, who flouriſhed in this reign, all the goods a ſlave acquired belonged to his maſter, who might take them from him whenever he pleaſed. Slaves were ſtill an article of commerce, even in the next reign. "In the ſame year, 1283, (ſay the Annals of Dunſtaple), we ſold our ſlave by birth, William Pyke, and all his family, and received one mark from the buyer." But there were different orders of ſlaves, and different degrees of ſervitude, in this, as well as in the preceding period. The next rank in ſociety conſiſted of farmers, mechanics, and traders who were freemen, but were either not proprietors of land, or only of ſmall parcels. The yeomanry and capital burgeſſes in great towns, conſidered themſelves as of a rank ſuperior to the former. The diſtinction between the nobility and gentry began to be conſpicuous in this reign. Anciently, all who held of the crown *in capite* were eſteemed noble, and formed one order; but the great inequality of the power and wealth among the members of this order, laid the foundation of a diviſion of them into the greater and ſmaller barons. This diviſion became plain, when they began to be ſummoned to parliament in different ways, the greater barons by a particular ſummons directed to each of them, and the ſmaller by a general ſummons to thoſe in each county. But even after this, they for ſome time formed only one aſſembly, and mingled together as perſons of the ſame rank, when they appeared in parliament. The diviſion became more conſpicuous after the eſtabliſhment of the Houſe of Commons, when the ſmaller barons and freeholders no longer mingled with the greater, and were no longer their peers, nor appeared in parliament each in his own right, but only as repreſentatives.

Nothing can be better aſcertained, or more clearly defined, than the conſtitution of the parliament of England when the great charter was granted by King John at the end of our laſt period. The members who compoſed that aſſembly, the manner in which they were ſummoned, with ſeveral other particulars, are thus deſcribed in that charter. "To have a common council of the kingdom, to aſſeſs an aid, otherwiſe than in the three foreſaid caſes, or to aſſeſs a ſcutage, we will cauſe to be ſummoned, the archbiſhops, biſhops, earls, and greater barons, perſonally, by our letters; and beſides we will cauſe to be ſummoned in general by our ſheriffs and bailiffs, all thoſe who hold of us in chief, to a certain day, at the diſtance of forty days at leaſt, and to a certain place; and in all the letters of ſummons, we will expreſs the cauſe of the ſummons; and the ſummons being thus made, the buſineſs ſhall go on at the day appointed, according to the advice of thoſe who ſhall be preſent,

preſent, although all who had been ſummoned have not come."

No change ſeems to have been made in the conſtitution of the parliament of England in the former part of the reign of Henry III. as appears from the deſcriptions given of theſe aſſemblies by Matthew Paris, the beſt contemporary hiſtorian. It would be tedious to introduce all theſe deſcriptions, which (tho' they differ a little in words, ſome of them being more general, others more particular) are all to the ſame import. When the members are deſcribed in general, it is commonly in ſuch words as theſe: — *Magnates Angliæ, tam laici quam prelati,* "— The great men of England, both of the laity and clergy." The following is the moſt particular deſcription of the members of a parliament (held at London, A. D. 1237) to be found in this hiſtorian: "The King immediately ſent his royal writs into all parts of England, ſummoning all concerned in the kingdom of England, viz. all archbiſhops, biſhops, abbots, inſtalled priors, earls, barons, and all others without omiſſion." By this laſt expreſſion, *all others without omiſſion*, we are certainly to underſtand thoſe who are thus deſcribed in the great charter, *all thoſe who hold of us in chief;* who were ſummoned in general by the ſheriffs. For all the members of this parliament are afterwards called *magnates et nobiles*, "great men and nobles," of whom, the hiſtorian ſays, "an infinite multitude came to London." The members of a parliament which met at Weſtminſter, A. D. 1244, are thus deſcribed:— "The Archbiſhop of York, and all the biſhops, abbots, and priors, of England, by themſelves, or their procurators, and alſo all the earls, and almoſt all the barons, of England."

The great councils of the kingdom ſeem to have been conſtituted according to the plan in the great charter, till the mad parliament, as it was called, which met at Oxford, June 11. A. D. 1258, made a violent change in this, as well as in every other part of the conſtitution. That party of the barons, headed by Simon de Montfort Earl of Leiceſter, which had long oppoſed the court, came to this parliament armed, and attended by ſuch numerous retinues, that they were completely maſters of the field, and compelled the King to conſent to every thing they propoſed. Twenty-four great men were inveſted with authority, — to name the King's council, the great officers of the crown, and the governors of the royal caſtles, — to regulate the King's houſehold, — to manage his revenue, — to make laws, — and, in a word, to do almoſt whatever they pleaſed. One of the firſt acts of theſe twenty-four dictators was a decree, that there ſhould be three parliaments every year, one in February, one in June, and one in October. But theſe parliaments were to be conſtituted in a very extraordinary manner, and were to conſiſt only of the members of the King's council, fifteen in number, and twelve barons choſen to repreſent the whole community. Theſe twelve barons were accordingly choſen by the parliament at Oxford to repreſent the community in future parliaments; and the record of their election may be thus tranſlated: "Theſe are the twelve which are choſen by the barons to treat at the three parliaments in a year, with the King's council, for all the community of the land, on public buſineſs; the Biſhop of London, the Earl of Wincheſter, the Earl of Hereford, Philip Baſſet, John de Baliol, John de Verdun, John de Gray, Roger de Sumery, Roger de Montalt, Hugh Deſpenſer, Thomas de Greſley, Egidius de Argenton." Whether there were parliaments on this plan in October A. D. 1258, and in February and June in the year following, is uncertain; but it appears that there was one in Oct. A. D. 1259, by which the famous proviſions of Oxford, made by the twenty-four barons, were confirmed; for to theſe proviſions or decrees the following confirmation is ſubjoined: "Theſe are the proviſions and decrees made at Weſtminſter after Michaelmas, by the King and his council, and the twelve choſen by the aſſent of the whole community of England, which were then at Weſtminſter, in the year of the reign of Henry the ſon of John the fortieth and third." The oſtenſible reaſon of this great innovation was, to relieve the community or body of thoſe who had formerly been bound to come to parliaments from the expence and trouble of perſonal attendance; but the real object of it unqueſtionably was, to perpetuate the power of the Earl of Leiceſter and his party.

The above plan of a parliament could not fail to be unpopular, as it excluded all the ſmall and many of the great ba-

rons from the public councils, under the ſpecious pretence of relieving them from expence and trouble. It was therefore ſoon laid aſide, and another of a more comprehenſive nature, and nearer to the ancient model, ſubſtituted in its place, by the ſame party. After the Earl of Leiceſter and his partiſans had obtained the victory in the battle of Lewes, May 14. A. D. 1264, and had got the King, Prince Edward, Richard King of the Romans, and his ſon Henry, into their hands, they were at great pains to obtain the public approbation of their ſchemes for eſtabliſhing their own power on the ruins of the royal authority. With this view, they obliged the King to call a parliament, conſtituted in a different manner from that preſcribed in the great charter, or in their own former plan. To this famous parliament, which was to meet at London Jan. 20. A. D. 1265, only eleven biſhops, five earls, and eighteen great barons, all of the predominant party, were ſummoned by particular writs. But to ſupply the places of the prelates, earls, and barons, of the royal party, who were not ſummoned, particular writs were directed to ſixty-four abbots, thirty-ſeven priors, and five deans. This very remarkable circumſtance was probably owing to the high degree of favour in which the Earl of Leiceſter ſtood with the clergy, who conſidered him as a ſaint and champion of the church. Writs were alſo ſent to all the ſheriffs in England, commanding them to cauſe two of the moſt diſcreet knights of each county to come to this parliament. Similar writs were directed to the citizens of ſeveral cities, and burgeſſes of ſeveral burghs, requiring each city to ſend two of its moſt diſcreet and honeſt citizens, and each burgh two of its moſt wiſe and upright burgeſſes. Each of the cinque-ports was commanded to ſend two of its barons. In what manner theſe knights, citizens, burgeſſes, and barons of the cinque-ports, were choſen, we have no account. But as they appeared as the repreſentatives of thoſe by whom they were ſent, their expences were to be borne by their conſtituents. We have no hint in any of our hiſtorians, that this parliament was divided into two houſes. With whatever views this plan was formed, it was a near and happy approach to that ſyſtem which hath been eſtabliſhed in England above five hundred years: A degree of antiquity to which few political arrangements can pretend.

The conſtitution, government, and laws of Scotland, as far as we are acquainted with them, appear to have been nearly the ſame with thoſe of England in this period. Alexander II. and his nobles, warmly eſpouſed the cauſe of the Engliſh barons, who obtained the great charter from King John, and muſt therefore have been well acquainted with that famous inſtrument. The two Britiſh nations at no time lived on a more friendly footing than in the reign of Henry III. owing, in ſome meaſure, to the near relation that then ſubſiſted between the two royal families, Alexander II. having married the ſiſter, and his ſon Alexander III. the daughter, of that prince. This gave occaſion to a free and frequent intercourſe between the two courts and kingdoms, by which they became acquainted with each others laws and cuſtoms. The parliament of Scotland was conſtituted exactly according to the plan of the Engliſh parliament in the great charter of King John. The laws aſcribed to Alexander II. are ſaid to have been made, — "with the counſel and conſent of venerable fathers, biſchops, abbats, earls, barons, and his gude ſubjects." By theſe laſt we are probably to underſtand the ſmaller freeholders, who were ſummoned in general by the ſheriff of each county or ſhire. There is ſuch a ſimilarity between many of the laws of England and Scotland in this period, as demonſtrates, that the one muſt have been copied from the other. Of this it will be ſufficient to give two examples, out of many that might be given. By the eleventh chapter of the Foreſt-charter of Henry III. it is granted, — "Whatſoever archbiſhop, biſhop, earl, or baron, coming to us at our commandment, paſſing by our foreſt, it ſhall be lawful for him to take and kill one or two of our deer, by view of our foreſter, if he be preſent; or elſe he ſhall cauſe one to blow an horn for him, that he ſeem not to ſteal our deer; and likewiſe they ſhall do returning from us, as it is aforeſaid." By the fourteenth chapter of the Foreſt-laws of Scotland, it is enacted, — "All biſhops, earles, or barones, cummand to the King, at his command, and paſſand be the foreſt, may leſumlie take ane or twa beaſts, at the ſicht of the foreſtar, gif he be preſent; otherwaies he may blaw his horne, that he appear nocht to

do

do the ſame thefteouſlie; and he may do ſwa as ſaid is returnand hame agane." By the ſtatute of Henry III. concerning the aſſize of bread and ale, a baker, for the third offence, is to be ſet in the pillory, and a brewer is to be puniſhed by the ducking-ſtool. By the twenty-firſt chapter of the Borough-laws of Scotland, it is enacted, — "Gif ane baxter or ane browſter treſpaſſe thriſe, juſtice ſhall be done upon them; that is, the baxter ſhall be put upon the pillorie, and the browſter upon the cock-ſtule." Civil cauſes ſtill continued to be tried by juries in Scotland, as well as in England; and theſe juries, in both countries, were liable to be tried, and ſeverely puniſhed, for falſe or unjuſt verdicts. Trials by fire and water ordeals were diſcountenanced and prohibited by both nations, about the ſame time; but thoſe by ſingle combat were ſtill frequent. In a word, the laws of both the Britiſh ſtates were ſo much the ſame in this period, that a diſtinct delineation of thoſe of the one may ſerve to convey no very imperfect idea of thoſe [36. 140, 142.] of the other.

Declaration of the States-General to the belligerent powers, upon notifying to them their acceſſion to the treaty of armed neutrality. [92.].

THeir High Mightineſſes the States-General of the United Provinces of the Low Countries, having had nothing more at heart ſince the beginning of the preſent war, nor deſiring nothing more, than to obſerve the ſtricteſt and moſt perfect neutrality with the belligerent powers, and at the ſame time to obſerve their eſſential and indiſpenſable obligations, by granting a proper protection to the trade and navigation of their ſubjects, and by maintaining and defending the rights and liberties of their neutral flag, have with a real ſatisfaction ſeen, that the Empreſs of all the Ruſſias, animated with ſuch noble and generous ſentiments as will tranſmit with honour her glorious reign to the lateſt poſterity, had thought proper to declare to the belligerent powers, "That intending during the preſent war to obſerve the moſt impartial neutrality, ſhe had determined by all the moſt efficacious means to maintain the honour of the Ruſſian flag, together with the ſecurity of the trade and navigation of her ſubjects, and not to ſuffer any belligerent power to hurt either of theſe." [42. 212.]

The ſentiments of their High Mightineſſes are exactly conformable to the principles upon which that declaration of her Imperial Majeſty is founded, and they do not heſitate to follow her example, and lay theſe principles before the belligerent powers, and to declare they will ſupport and maintain them in conjunction with her Imperial Majeſty, namely,

"1. That all neutral veſſels may freely ſail from port to port, and on the coaſts of the powers at war.

2. That all effects belonging to the belligerent powers on board neutral veſſels, ſhall be free, except contraband goods.

3. That with regard to what are contraband goods, their High Mightineſſes will hold to what are ſtipulated in the treaties concluded between them and the belligerent powers; and particularly in the ſixth article of the treaty of marine with Spain of the 15th of December 1650, the third article of the treaty of marine with England the 1ſt of December 1674, and the 16th article of the treaty of trade, navigation, and marine, with France, of the 1ſt of December 1739, for twenty-five years; which treaties their High Mightineſſes look upon, in all their diſpoſitions and limitations relative to contraband merchandiſe, as entirely founded upon natural equity, and the right of nations.

4. That no place ſhall be accounted blocked up, unleſs the men of war are ſo ſtationed as to prevent any veſſel from entering without imminent danger.

5. That theſe principles ſhall ſerve to judge of the legality or illegality of prizes."

As theſe principles form the univerſal rights of neutral powers, and are confirmed by treaties which can never be legally annulled, altered, or ſuſpended, but by a common and reciprocal act and conſent of the contracting parties, their High Mightineſſes flatter themſelves that the belligerent powers will acknowledge the juſtice of them, and pay ſuch a deference thereto, as not in any ſhape to hurt the trade of their High Mightineſſes, or to hinder their free enjoyment of thoſe rights which are their undoubted claim as a neutral independent power.

Maritime treaty entered into by the Empreſs of Ruſſia, and the King of Denmark, on the 28th June 1780, O. S. acceded to by the King of Sweden July 21. 1780, and by the States-General Jan. 5. 1781. [91.]

THE preamble, after reciting the reaſons that had induced the Empreſs of all the Ruſſias, and the King of Denmark and of Norway, to ſet on foot the treaty alluded to, (namely, the intention of ſupporting a free neutral trade and navigation, againſt any attack, moleſtation, or hindrance, from the belligerent powers), nominates and appoints the reſpective plenipotentiaries, viz. on the part of her Imperial Majeſty, Mr Charles Van Oſten Saken; and on the part of the King of Denmark and Norway, Mr Otton Comte de Thott, Mr Joachim Otton Van Schach Reventlau, Mr John Henry Van Eikſteldt, and Mr Andrew Pierra Comte Bernſtorff. The above-named plenipotentiaries agreed to and ſubſcribed the following articles.

I. Their reſpective Majeſties are fully and ſincerely determined to keep upon the moſt friendly terms with the preſent belligerent powers, and preſerve the moſt exact neutrality: They ſolemnly declare their firm intention to be, that their reſpective ſubjects ſhall ſtrictly obſerve the laws forbidding all contraband trade with the powers now being, or that may hereafter be, concerned in the preſent diſputes.

II. To prevent all equivocation or miſunderſtanding of the word *contraband*, their Imperial and Royal Majeſties declare, that the meaning of the ſaid word is ſolely reſtrained to ſuch goods and commodities as are mentioned under that denomination in the treaties ſubſiſting between their ſaid Majeſties, and either of the belligerent powers. Her Imperial Majeſty abides principally by the 10th and 11th articles of her treaty of commerce with Great Britain; the conditions therein mentioned, which are founded on the right of nations, being underſtood to extend to the Kings of France and Spain; as there is at preſent no ſpecific treaty of commerce between the two latter and the former. His Daniſh Majeſty, on his part, regulates his conduct in this particular by the 2d article of his treaty with England, and the 26th and 27th of that ſubſiſting between his ſaid Majeſty and the King of France, extending the proviſions made in the latter to the Catholic King; there being no treaty *ad hoc* between Denmark and Spain.

III. And whereas, by this means the word *contraband*, conformable to the treaties now extant, and the ſtipulations made between the contracting powers, and thoſe that are now at war, is fully explained; eſpecially by the treaty between Ruſſia and England of the 20th of June 1766; between the latter and Denmark the 11th of July 1670; and between their Daniſh and Moſt Chriſtian Majeſties of Auguſt 23. 1742; the will and opinion of the high contracting powers are, that all other trade whatſoever ſhall be deemed and remain free and unreſtrained.

By the declaration delivered to the belligerent powers [42. 212.], their contracting Majeſties have already challenged the privileges founded on natural right, whence ſpring the freedom of trade and navigation, as well as the right of neutral powers; and being fully determined not to depend in future merely on an arbitrary interpretation, deviſed to anſwer ſome private advantages or concerns, they mutually covenanted as followeth.

Firſt, That it will be lawful for any ſhip whatever to ſail freely from one port to another, or along the coaſt of the powers now at war. — 2dly, That all merchandiſe and effects belonging to the ſubjects of the ſaid belligerent powers, and ſhipped on neutral bottoms, ſhall be entirely free; except contraband goods. — 3dly, In order to aſcertain what conſtitutes the blockade of any place or port, it is to be underſtood to be in ſuch predicament, when the aſſailing power has taken ſuch a ſtation, as to expoſe to imminent danger, any ſhip or ſhips that would attempt to ſail in or out of the ſaid ports. — 4thly, No neutral ſhips ſhall be ſtopped without a material and well-grounded cauſe: and in ſuch caſes, juſtice ſhall be done to them without loſs of time; and beſides indemnifying each and every time the party aggrieved, and thus ſtopped without ſufficient cauſe, full ſatisfaction ſhall be given to the high contracting powers, for the inſult offered to their flag.

IV. In order to protect officially the general trade of their reſpective ſubjects on the fundamental principles aforeſaid, her Imperial and his Royal Majeſty have thought proper, for effecting ſuch purpoſe,

poſe, each reſpectively to fit out a proportionate rate of ſhips of war and frigates. The ſquadron of each of the contracting powers ſhall be ſtationed in a proper latitude, and ſhall be employed in eſcorting convoys according to the particular circumſtances of the navigators and traders of each nation.

V. Should any of the merchantmen belonging to the ſubjects of the contracting powers ſail in a latitude where there ſhall be no ſhips of war of their own nation, and thus be deprived of the protection; in ſuch caſe, the commander of the ſquadron belonging to the other friendly power ſhall, at the requeſt of ſaid merchantmen, grant them, ſincerely and *bona fide*, all neceſſary aſſiſtance. The ſhips of war and frigates of either of the contracting powers ſhall thus protect and aſſiſt the merchantmen of the other. Provided, nevertheleſs, that under the ſanction of ſuch required aſſiſtance and protection, no contraband be carried on, nor any prohibited trade, contrary to the laws of the neutrality.

VI. The preſent convention ſhall not be retroſpective; and conſequently neither of the high contracting parties can take cogniſance of any differences that may have ariſen between them and other powers before its concluſion; unleſs the matter in litigation ſhould be relative to violences which are ſtill exiſting, and which may tend to oppreſs all neuter nations in Europe.

VII. If, notwithſtanding the vigilant and amicable care of the two high contracting parties, and the moſt exact obſervations of neutrality on their part, any Ruſſian or Daniſh merchant-ſhips ſhould happen to be inſulted or taken by the ſhips of war or privateers of one or other of the belligerent powers, the miniſter of the offended party ſhall make proper repreſentations to that court whoſe ſhips of war or privateers have been guilty of the ſaid act: he ſhall demand the reſtitution of the ſhip or ſhips ſo taken, and ſhall inſiſt upon a reaſonable compenſation for the damages or loſs of time, as well as upon a complete ſatisfaction for the inſult offered to the flag of his ſovereign. The miniſter of the other high contracting party ſhall ſecond and ſupport theſe repreſentations in the moſt ſerious and efficacious manner, and thus they ſhall continue jointly and unanimouſly, until their requeſt is granted. But in caſe of a refuſal, or any unreaſonable delay from time to time, to redreſs theſe grievances, their aforeſaid Majeſties do hereby declare, that they will make uſe of repriſals towards that power that refuſes to do them juſtice, and will immediately unite in the moſt efficacious means to execute theſe juſt repriſals.

VIII. In caſe that one of the high contracting parties, or both together, ſhould be diſturbed, moleſted, or attacked, in conſequence of this convention, or any ſubject whatever relative thereto, it is hereby ſtipulated and agreed, that the two powers ſhall immediately act in concert for their mutual and reciprocal defence, and ſhall employ and unite all their forces to obtain a proper ſatisfaction, as well for the inſult offered to their flag, as for the loſſes ſuſtained by their reſpective ſubjects.

IX. This convention ſhall be in full force as long as this preſent war ſhall laſt; and the engagements contained therein ſhall ſerve as the baſis for all future engagements and treaties that may be concluded hereafter, according to circumſtances, and in caſe any other maritime war ſhould hereafter unfortunately diſturb the tranquillity of Europe. As to the reſt, all what has here been ſtipulated and agreed upon, ſhall be conſidered as permanent and invariable, as well with regard to mercantile affairs, as for that concerns the navy, and ſhall have force of law in all deciſions upon the rights of neuter nations.

X. As the end and chief object of this convention is to ſecure the general liberty of commerce and navigation, their Majeſties the Empreſs of Ruſſia and the King of Denmark and Norway do hereby conſent, and engage themſelves reciprocally, to permit that other neuter powers may accede thereto; and that theſe powers ſo acceding, being fully acquainted with the fundamental principles and engagements contained therein, ſhall be conſidered as parties concerned in the obligations and advantages of the ſaid convention.

XI. And in order that the belligerent powers may have no pretext for their proceedings, or pretend to be unacquainted with theſe engagements between their aforeſaid Majeſties, the high contracting powers do hereby promiſe, that they will ſeparately acquaint the belligerent powers with the meaſures they have taken, and the motives which have

have engaged them to unite in this affair; which meaſures are the leſs hoſtile, as they are nowiſe detrimental to any other power, but have only for their object the ſecurity of the commerce and navigation of their reſpective ſubjects.

XII. The preſent convention ſhall be ratified by the two high contracting parties, and the ratifications ſhall be exchanged, in due form, within the term of ſix weeks from the date hereof, or ſooner if poſſible.

In virtue whereof, we whoſe names are hereunto written, being properly inveſted with full powers to that effect, have ſigned and ſealed this preſent convention.

Done at Copenhagen, July 9. 1780.

(L. S.) Ch. Van Osten Saken.
(L. S.) J. Schak-Rathlau.
(L. S.) A. P. Count of Bernstorff.
(L. S.) O. Thott.
(L. S.) H. Eichsiedt.

Three Memorials preſented to the States-General, Sept. 12. 1778.

Memorial I.

From the merchants, proprietors of veſſels, and exchange inſurers, of the town of Amſterdam.

THat it cannot be unknown to your High Mightineſſes, in what manner, for theſe ſeveral weeks paſt, a conſiderable number of veſſels belonging to the inhabitants of this republic, bound for the ports of France, have been ſtopped in their paſſage by the ſhips of his Britannic Majeſty, and other commiſſioned veſſels belonging to his ſubjects; and that, although our captains have proved that their ſhips belonged to the ſubjects of this republic, and were not laden with contraband goods, they have, notwithſtanding, been ſeized, and conducted into the different ports of Great Britain, where they are yet detained, without the letters of recommendation written to Count Welderen, your envoy extraordinary and plenipotentiary at the court of G. Britain, and granted by your High Mightineſſes at the ſolicitations of many perſons intereſted in the above veſſels, in order to reclaim and effect their ſpeedy enlargement, having produced the leaſt effect, but, on the contrary, the Engliſh continue to ſeize our veſſels more than ever; which ſeems to announce a plan formed by the Engliſh nation totally to prevent the navigation and commerce of the inhabitants of this republic with the ports of France.

That, in conſequence, if theſe proceedings of the Britiſh nation continue, they will, no doubt, operate to the total ruin of the commerce and navigation of this republic in general, and alſo to the ruin of ſeveral private perſons intereſted therein, either as proprietors of the veſſels, or of the cargoes, or as inſurers, and which will occaſion them a conſiderable injury.

From theſe conſiderations, your memorialiſts have judged it neceſſary to lay their injuries, as legal as well founded, before your High Mightineſſes, and to implore your relief. The memorialiſts conſider it as ſuperfluous to endeavour to prove more amply to your High Mightineſſes, the injuſtice of ſuch ſeizures and detentions, ſince it is known to you, that by the naval treaty concluded between the court of G. Britain and the republic, Dec. 11. 1674, the following, as the firſt article, is ſtipulated: "That it ſhall be permitted, and is legal, for the ſubjects of the reſpective nations to navigate with liberty and ſafety, to deal and negotiate in all kingdoms and countries where the reſpective ſovereigns are at peace, neutrality, and friendſhip, and in ſuch a manner, that their navigation and commerce may be neither hindered or moleſted, neither by any violence of people who carry on war, nor by the ſhips of war or other veſſels whatſoever, under pretence of any hoſtility or malice which may ariſe between one of the ſovereign powers and the nations with which the other is in peace or neutrality."

And this liberty of navigation and commerce is alſo determined by the ſecond article of the ſame treaty, by which it is agreed, "not to ſuffer that it ſhall be made the leaſt hindrance of any branch of commerce, on account or by reaſon of a war; but, on the contrary, to extend this liberty to all ſorts of merchandiſe which was accuſtomed to be ſold in times of peace, excepting only goods compriſed under the denomination of contraband, and which are ſpecified by a ſubſequent article."

Your High Mightineſſes are not leſs ignorant, that by the point or article fixed on, and concluded Dec. 30. 1675, at the Hague, between Sir William Temple, ambaſſador-extraordinary from the King of G. Britain, and the deputies of your High Mightineſſes, it is ſpecially explained,

explained, "That the true ſenſe of the above articles of the treaty concluded Dec. 11. 1674, is, and ought to be, that ſince the concluſion of the above articles, the veſſels and ſhips belonging to the ſubjects of the two contracting powers, ſhould and may navigate, trade, and negotiate, not only from a neutral place to a place at war with either of the two nations, but from a place at war to a neutral place, whether or not the two places belong to the ſame ſovereign or ſtate, or to different ſtates and ſovereigns with which either of the two contracting powers may be at war."

It will not be difficult for your memorialiſts to prove, in the moſt convincing manner, as well by ſolid reaſons, as by the authority of the beſt authors who have written on the law of nations, and the judgement of civilized ſtates in general, as alſo by the common rights of men, and without the neceſſity of any treaty or alliance, that in caſe of war between two powers, the ſubjects of that ſtate in peace or neutrality with the belligerent powers ought to enjoy the liberty of an uninterrupted commerce, and without being tied down by all the powers who are at war, and without meeting with the leaſt obſtacle under any pretext whatever; except in caſes where neutral nations would ſupply the belligerent powers with warlike ſtores or other contraband goods, or are endeavouring to negotiate with places beſieged or blockaded.

Your memorialiſts therefore conſider it as ſuperfluous to call your attention to ſuch an object; ſeeing that the law of nations hath obtained the ſtricteſt ſanction by the treaty concluded between this republic and England; that, conſequently, it is not a queſtion, what ought to be the caſe between two nations who have not any reciprocal alliance, but that it is only to be conſidered, what treatment the inhabitants of this republic have a right to expect on the part of the ſubjects of G. Britain, ſince the alledged treaty ſtill ſubſiſts, and was concluded on, as it is well known to your High Mightineſſes, in a time when this ſtate was at war with France; and that, conſequently, it was principally dictated by the Engliſh, in order to procure them a free navigation to and from the ſeveral ports of France. Since, then, the Engliſh nation were the firſt who reaped the fruits of that convention, they ought not to prevent the ſubjects of this republic from profiting in their turn of the advantages of a free navigation and commerce, which they ſtipulated in themſelves, and which they have enjoyed as they have found it convenient. And this objection ought to appear the better founded, as the ſtipulations in the treaty agreeing with the law of nations, ought to be a conſideration of the greateſt weight with a nation which would wiſh to preſerve any pretenſions to reaſon and equity, and that would not violate, in any point, the faith of a treaty ſo ſolemn as the above mentioned.

The memorialiſts therefore hope, that by the efficacy of theſe reaſons, the injuſtice will appear to your High Mightineſſes, as well of making thoſe prizes, as the manner of carrying away the veſſels of the inhabitants of this republic, navigated from a third place to the ports of France, or from one port of the ſame kingdom to another, without conſidering what, or who he is, who ought to be conſidered as proprietor of the cargo.

That this injuſtice carries ſuch a demonſtrative proof, that neither the proprietors nor the ſharers of the veſſels ought, on that head, to begin making by inſtituting a proceſs; but that it belongs to his Britannic Majeſty to give immediate orders, as well to the commanders of ſhips of war as to thoſe of the letters of marque, that they no longer cauſe the leaſt injury, nor any longer ſeize the ſhips or veſſels belonging to this ſtate; but, on the contrary, that they ſhall be bound directly to repair the injuries already done, and make good the damages already ſuſtained, ſince they can no longer pretend the neceſſity of a judicial examination, before having decided previouſly on the validity of the captures; and that it is otherwiſe evident, or at leaſt ought to be ſo, that the commiſſion for ſeizing the ſhips and effects belonging to an enemy, cannot concern the ſubjects of a power with whom they are bound by treaty, and according to which the navigation and commerce ſhould be free; and that there is, beſides, a right that the ſhip ſhould protect the cargo; it being moſt certain, that in ſuch circumſtances the leaſt obſtruction given to a ſhip is an act of the moſt daring injuſtice; that, of courſe, the dangerous conſequences brought on by ſo flagrant a violation of the law of nations cannot be repaired, although the ſhips

ſhould

ſhould be afterwards releaſed, and damages ſhould be awarded.

Beſides the juſtice of theſe aſſertions, and the validity of theſe complaints, the taking of ſhips bound for the ports of France, not only induces your memorialiſts to ſolicit your High Mightineſſes to interpoſe, and even to inſiſt on immediate reparation for damages already ſuſtained, and ſecurity for what may accrue; but your memorialiſts alſo cannot diſpenſe with reſpectfully laying open to your High Mightineſſes the lamentable conſequences which will reſult to the merchants, and of courſe to the ſtate in general, in caſe the veſſels and ſhips of the ſubjects of this republic cannot be guarded againſt what are little ſhort of acts of piracy.

In effect, the ſeizure of the ſhips not only occaſions to the proprietors a prejudice and conſiderable damage, and oppreſſes them in many reſpects by very large expences, but the ſtopping even of merchandiſe, and the danger and ſpoil of goods, to which they are ſubject; the poſſibility of the fall of the price of markets, as well as other events, are alſo very prejudicial to the above proprietors, and others intereſted therein; and if ſtill by ſuch proceedings, and againſt all remonſtrance, the Engliſh will pretend that the goods embarked are from that moment to be conſidered as French property, and ſubject to confiſcation, the conſequences of ſo unjuſt a ſuppoſition will infallibly cauſe the entire ruin of many inſurers in this country; and it will be the more unjuſt, as the veſſels hitherto ſeized, or liable to be ſeized, have had all their cargoes inſured in a time when there was not the leaſt hoſtility commenced between France and G. Britain, which alone gives a ſufficient reaſon why thoſe ſhips ſhould not be ſeized, much leſs ſhould they be declared legal prizes.

Further, without eſtimating the damage which neceſſarily muſt befal on the ſeveral perſons intereſted in ſhips ſeized, or expoſed to ſeizure, the conſequences of a ſeizure ſo unjuſt as that of Dutch ſhips, deſtined for the ports of France, will have the moſt dangerous influence on the commerce and navigation of the republic in general, ſince not only the inevitable effect will be the abſolute ruin of all commerce with France, but the more ſo, as all the other nations, which until this time have employed, and will again employ Dutch ſhips to tranſport their merchandiſe to the ports of France, or other places, will be deprived of employing for the future ſhips expoſed to be detained or made prizes of.

Theſe premiſes will afford a vaſt ground of ſpeculation, when it will pleaſe your High Mightineſſes to reflect, that notwithſtanding his Moſt Chriſtian Majeſty, by the firſt article of his regulations, concerning the navigation of neutral ſhips in times of war, under the date of July 26. 1778, has voluntarily forbidden all his privateers and ſhips to ſtop or ſeize any ſhip belonging to neutral powers, even ſailing from, or bound to, the enemy's ports, excepting only blockaded places, and ſhips laden with contraband goods; judged it proper, nevertheleſs, to declare, that his Majeſty reſerves the right of revoking this liberty, in caſe the power at war with him doth not think it proper to extend the ſame favour, before the expiration of ſix months, to be computed from the date when the above regulations were publiſhed. According to this, it may then happen that his Chriſtian Majeſty, in making reprifals, would alſo limit the franchiſements of the ſhips of this ſtate, when the memorialiſts, and other inhabitants of the republic, will ſee your H. Mightineſſes entirely deprived of their commerce and navigation with the two kingdoms and their dependencies, and in this manner ſupporting, however unjuſtly, the vigorous effects of war, the ſame as if this republic was actually concerned therein.

However matters may terminate, your memorialiſts deem it needleſs to ſhew to your High Mightineſſes the horrible reſult of ſuch a commercial decline for all the inhabitants of this country in general; ſeeing that by commerce the republic is aggrandiſed; that in trade ſhe finds the moſt ſolid benefits, and that if her commerce periſhes, ſhe will ſoon find herſelf on the brink of deſtruction. What is ſtill further to be apprehended, when we have reflected on the unjuſt proceedings on the part of the Engliſh, the navigation and commerce between this country and France, and very likely by an inevitable rupture with England, both will be totally prevented, it may furniſh occaſion to other kingdoms to carry on our trade, of which, againſt all reaſon and juſtice, the uſage will be forbidden to the inhabitants of this republic,

whilſt frequent examples, founded on moſt woful experience, will teach us, that one time or other, by a certain concurrence of circumſtances, one branch of commerce taken away, can never return into its antient courſe.

Prompted thus by every motive that can be alledged, your memorialiſts reſpectfully addreſs your High Mightineſſes, that it may pleaſe them to prevent and reſtore the damages done to the merchants of this country, by the ſeizure of her ſhips bound for the ports of France, by the Engliſh nation, againſt the faith of treaties, in open violation of the law of nations, in oppoſition to natural equity. In ſhort, to prevent for the future ſuch extraordinary proceedings, to maintain the rights and privileges of the ſeveral inhabitants of this ſtate, which they hold from God and nature, and on which the Engliſh nation are bound by the moſt ſolemn treaties to make no infractions.

That it will pleaſe your High Mightineſſes to provide ſpeedily and efficaciouſly, as well by the moſt ſerious repreſentations to the court of England, on the ſubject of the diſorders committed, and to prevent their conſequences, by giving a ſufficient protection, by the means of the ſhips of war, to the commerce and navigation of this country, in ſuch a manner as your High Mightineſſes, inſpired by your acknowledged wiſdom, and animated by paternal regard and zeal for the proſperity of this republic, ſhall judge proper.

[*To be continued.*]

It was probably in purſuance of theſe memorials that the repreſentation was made by Count Welderen, the Dutch ambaſſador at the court of London, to which Lord Suffolk gave the anſwer, dated, October 19. 1778. [40. 575.]

A Senſible Address.

Said to be written by the Earl of Buchan.

Men of England, Scotland, Ireland, the Colonies, Brethren, and Fellow-Citizens,

THE time is at laſt come, when the ſucceſs of our country, unparallelled ſince the fall of the Roman empire, has drawn upon us the envy and oppoſition of a great combination among the maritime powers in Europe.

It is high time, therefore, for us to unite as one man againſt thoſe nations who wiſh to divide that naval ſtrength and commerce with us, which ſupports us in the power, grandeur, and opulence, to which we have attained, by the induſtry of more than three hundred years, and the aſtoniſhing exertions of more than a century.

That our preſent difficulties have been owing, in a great meaſure, to the intemperate uſe of our power and opulence, I ſhall not pretend to deny; but the queſtion is not now, how we have got into our preſent difficulties, but how we are to be extricated from them.

Agitated by no emotions of faction or diſappointment, and penetrated to the inmoſt receſſes of my heart by the pervading love of my country, I beg leave to aſſume the language of ſincere, zealous, and brotherly admonition.

Men of England, — Famous all over the world for your love of liberty, eſtabliſhed by known laws made by yourſelves, and for your obedience to thoſe laws; famous alſo, even ſince the days of Agricola, for your ſubmiſſion to the impoſition of neceſſary taxes; preſerve your conſtitution and laws inviolate; ſeek not for a greater ſhare in the making and impoſing of theſe than you have already.—Tamper not with a body-politic, which has ſtood the brunt, and reſiſted the corroding tooth, of ſtorms and of ages.

Remember the epitaph of an Italian who had tampered with quack medicines:

Stava bene, ma, per ſtar meglio,
Sto qui. ——

"I was well, but to be better——
HERE I LIE."

Seek not to increaſe the number of your repreſentatives; your ſenate is already too numerous for the deliberations of war, or of ſudden danger.

Think not, that, as long as popular election remains as the entrance into the power over your purſes, venality can be prevented, either before or after an election, either with reſpect to the elector or the elected.

Lay aſide all thoſe vain imaginations; eſtabliſh yourſelves on the baſis of that independent life which draws its firſt and its laſt breath from honeſt induſtry and ſimplicity of manners.

Liſten not to the intereſted harangues of eloquent men, who wiſh to aſcend to power and wealth upon your ſhoulders.

Think not that it is the nature of virtuous patriotiſm to diſturb a nation in the midſt of buſineſs and of danger.

Public danger calls for the concentration of power. Be thankful to God, that you have a king, who, though certainly not faultleſs, (for who can be?), yet one who aſpires not to the ſeizure of your franchiſes, nor graſps at riots and misfortunes to enſlave his people. It is impoſſible that your monarch does not perceive that his greatneſs ſtands upon the baſis of Britiſh liberty.

MEN of SCOTLAND, — Forget your ancient prejudices againſt your richer neighbours, and let not the remembrance of their purſe-proud jeers againſt you rankle in your hearts. Preſerve the conſtitution of your *Kirk*, but be friendly and ſocial to the *Church*; and be not ſo fooliſh as to imagine, that there are any intentions to alter your religious conſtitution or liberties.

Gain your Roman-Catholic brethren by hoſpitality and urbanity, not by burning their places of worſhip.

If the king and parliament grant you arms, and array you, at this m ment of national exertion and of danger, be grateful as children, and impetuous as men againſt the inſulting foe.

If reaſons of ſtate ſuggeſt the arrangement of your defence by other means, be ſatisfied. — Your land tax will not afford a militia; and volunteer companies not under the immediate direction of the executive power, are contrary to the principles of the Britiſh conſtitution, and might be turned to pernicious purpoſes.

MEN of IRELAND, — Remember that the ſpirit of monopoly is inſeparable from the ſpirit of commerce: be grateful, therefore, for the almoſt unexampled proof of the generoſity of the Britiſh nation and the Britiſh merchants, who gave you, unterrified by menaces or your volunteer-combinations, an almoſt complete participation of their trade and franchiſes. Start not at mutiny-bills, or duties upon your ſugar; a little bitter muſt mix with all the ſweets of human enjoyment. Suffer your volunteer-aſſociations to aſſume a regular form, under the eye and direction of the lawful governors of Ireland, and the parliamentary heir of the heroic king of your choice, the *immortal William of Naſſau*.

Prepare for an union of affections and of intereſts with Great Britain: let there be no longer a channel of diſguſt between us: let us form but one people, and one iſland, as it were, divided but by an arm of the ſea.

Your glorious and fertile country will take its ſtation as the ſiſter and equal, but not the rival of Britain. If you call in the ſeas and the fiſheries to your maintenance, your population may admit of an increaſe to equal it with that of England. Set your hearts, your heads, and your hands, to brotherly affection, police, and *trade with manufactures*.

MEN of the COLONIES, — Loyal and diſloyal, joined and disjoined, caſt your eyes once more acroſs the great Atlantic; let them yield to the pearly flow of returning affection. The repreſentatives of your firſt parents are conſcious, that the pride of their parentage, and the etiquette of the *patria poteſtas*, the patriarchal power, engaged them in too early chaſtiſement; they are ready to receive you, and to make you once more their fellow-citizens.

MEN of ENGLAND, SCOTLAND, IRELAND, the COLONIES, BRETHREN, — Forget what is paſt, unite, ſave the only free nation of grandeur and extent of territory upon the ſurface of the terraqueous globe.

Think not, my brethren, that this addreſs is the emanation of zeal bought by the largeſſes of a ſelfiſh miniſter: it comes from a man whoſe rank is too illuſtrious, his fortune by prudence too independent, and his heart by nature too honeſt, to permit him to be the tool of party or of power.

He ſeeks not for public office; he receives no emolument from government; he has been even ſuffered to languiſh in obſcurity, if his ſpirit would have ſuffered him to languiſh. He had once the hopes and ambition of guiding, with the ſtate-pilot, the helm of public affairs; that time is paſt. It is paſt never to return. He will go to the ſilent grave, in all probability, unplaced, unpenſioned, unribboned, unpromoted in honour: but he will be carried to it, he hopes, with honour, with the regret of an honeſt circle, and certainly with the reputation of having loved his country.

"Præclara conſcientia igitur ſuſtentor, cum cogito me de republica aut meruiſſe optime, cum potuerim, aut certe *nunquam niſi divine cogitaſſe*."

Edin. Mag. BRITANNICUS.

A LOVE-BALLAD.

HArk! hark! 'tis a voice from the tomb!
"Come, Lucy! (it cries) come away:
The grave of thy Colin has room
To reſt thee beſide his cold clay."
"I come, my dear ſhepherd, I come;
Ye friends and companions, adieu!
I haſte to my Collin's dark home,
To die on his boſom ſo true."

All mournful the midnight-bell rung,
When Lucy (ſad Lucy!) aroſe,
And forth to the green turf ſhe ſprung,
Where Colin's pale aſhes repoſe.
All wet with the night's chilling dew,
Her boſom embrac'd the cold ground,
While ſtormy winds over her blew,
And night-ravens croak'd all around.

"How long, my dear ſhepherd! (ſhe cry'd),
How long muſt thy Lucy complain?
How long ſhall the grave my love hide?
How long ere it join us again?
For thee has thy ſhepherdeſs liv'd,
With thee o'er the world would ſhe fly;
For thee has ſhe ſorrow'd and griev'd,
For thee would ſhe lie down and die.

Alas! what avails it how dear,
His Lucy was once to his ſwain,
Her face like the lily ſo fair,
Her eyes that gave light to the plain?
Since now the dear ſhepherd is gone,
That face,—and thoſe eyes charm no more,
And Lucy, forgot and alone,
To death muſt her Colin deplore."

As thus ſhe lay ſunk in deſpair,
And mourn'd to the echoes around,
Inflam'd all at once grew the air,
And thunders ſhook dreadful the ground.
"I hear the kind call, and obey;
Receive me, dear Colin!" ſhe cry'd,
Then breathing a ſigh o'er his clay,
She hung on his tombſtone,—and died.

On the death of the late Earl of HOPETOUN. [110.]

GOod HOPETOUN dead! ah, that's a ſtroke too great,
The very nation ſuffers in his fate.
Fain, tho' unequal, would I ſpeak his praiſe,
Was not the theme too high for vulgar lays.
For public virtues few his equals were,
In private ones none with him could compare.
Their numbers to recount could I pretend,
His ſacred ſhade, I know, I ſhould offend.
For tho' in theſe he was a pattern bright,
His ſtudy was, to veil them from the light.
But his reward himſelf has gone before,
And met him landing on the heavenly ſhore.
To us behind, who ſhare one common grief,
One common hope, doth miniſter relief,
That, as in him each virtue did combine,
The ſon will with the father's virtues ſhine.

W. C.

On her MAJESTY's birth-day.

COme, gentle Muſe, thy aid impart,
Improve the glow which warms my heart
On CHARLOTTE's natal day;
High let the ſilver trumpet ſound,
And echo to the nations round
The glory of thy lay!

Mild as the gentle cooing dove,
Her boſom ſwells with genuine love
To GEORGE, her Royal Lord!
The cares of ſtate — its heavy toils,
Are eas'd by CHARLOTTE's tender ſmiles;
Peace ſeems awhile reſtor'd.

Oh, gentle Pow'r! thy charms expand,
And ſhed thy influence o'er the land,
Till Diſcord is no more:
The olive with the laurel twine,
Again let Arts and Commerce join,
And Plenty bleſs the ſhore.

Such is the wiſh of CHARLOTTE's breaſt,
For peace is ever there expreſt,
Each wiſh for England's good!
Around her happy offſpring ſtand,
The pride — the glory of the land,
With ev'ry grace endow'd.

Bright as the op'ning rays of Morn,
Our future hope — her eldeſt born,
Smiles comfort by her ſide;
Auſpicious youth! in virtue riſe,
And imitate the great and wiſe,
And be fair England's pride.

Sill, as the circling year goes round,
May this bleſt day with joy be crown'd,
Thus happy be it ſeen!
To diſtant years may Fate prolong
The life of her who claims the ſong,
Our all-diſtinguiſh'd QUEEN!

The RECANTATION: An ode.

BY Love too long depriv'd of reſt,
(Fell tyrant of the human breaſt!)
His vaſſal long, and worn with pain,
Indignant late, I ſpurn'd the chain:
In verſe — in proſe I ſung and ſwore
No charms ſhould e'er enſlave me more,
Nor neck, nor hair, nor lip, nor eye,
Again ſhould force one tender ſigh.

As, taught by Heav'n's informing pow'r,
From ev'ry fruit and ev'ry flow'r,
That Nature opens to the view,
The bee extracts the nectar-dew;
A vagrant thus, and free to change,
From fair to fair I vow'd to range,
And part from each without regret,
As pleas'd and happy as I met.

Then Freedom's praiſe inſpir'd my tongue,
With Freedom's praiſe the vallies rung,
And ev'ry night and ev'ry day
My heart thus pour'd th' enraptur'd lay:
"My cares are gone, — my ſorrows ceaſe,
My breaſt regains its wonted peace,

And joy and hope, returning, prove,
That Reaſon is too ſtrong for Love."

Such was my boaſt — but ah, how vain!
How ſhort was Reaſon's vaunted reign!
The firm reſolve I form'd erewhile
How weak — oppos'd to MYRA's ſmile!
Chang'd is the ſtrain — the vallies round
With Freedom's praiſe no more reſound,
But ev'ry night, and ev'ry day,
My full heart pours the alter'd lay.

Offended deity! whoſe pow'r
My rebel tongue but now forſwore,
Accept my penitence ſincere,
My crime forgive, and grant my pray'r!
Let not thy ſlave, condemn'd to mourn,
With unrequited paſſion burn;
With Love's ſoft thoughts her breaſt inſpire,
And kindle there an equal fire!

It is not Beauty's gaudy flow'r,
(The empty triumph of an hour),
Nor practis'd wiles of female art,
That now ſubdue my deſtin'd heart;
O no! — 'Tis Heav'n, whoſe wondrous hand
A tranſcript of itſelf hath plann'd,
And to each outward grace hath join'd
Each lovelier feature of the mind

Theſe charms ſhall laſt when others fly,
When roſes fade and lilies die,
When that dear eye's declining beam
Its living fire no more ſhall ſtream:
Bleſt, then, and happy in my chain,
The ſong of Freedom flows in vain,
Nor Reaſon's harſh reproof I fear,
For Reaſon's ſelf is Paſſion here.

O dearer far than wealth or fame!
My daily thought — my nightly dream,
If yet no youth's ſucceſsful art,
(Sweet Hope!) hath touch'd thy gentle heart,
If yet no ſwain hath bleſs'd thy choice,
Indulgent hear thy DAMON's voice,
From doubts, — from fears, his boſom free,
And bid him live — for LOVE and THEE.

EPITAPH on the Rt Hon. Sir THOMAS WINNINGTON, *by Sir* CHARLES HANBURY WILLIAMS. [8. 198. — 9. 576; — 21 606.]

NEar his paternal ſeat, here bury'd lies
The grave, the gay, the witty, and the wiſe:
Form'd for all parts, in all alike he ſhin'd,
Variouſly great, a genius unconfin'd!
In converſe right, judicious in debate,
In private amiable, in public great.
With all the Statesman's knowledge, prudence, art,
With Friendſhip's open, undeſigning heart.
The friend and heir here join their duty: one
Erects the buſto, one inſcribes the ſtone. [live;
Not that they hope from theſe his fame ſhould
That claims a longer date than they can give.
Falſe to their truſt, the mould'ring buſts decay,
And, ſoon effac'd, inſcriptions wear away:
But Engliſh annals ſhall their place ſupply,
And, while they live, his name can never die.

On the death of Major PIERSON. [44.]

"TEll me (ſays Cato) where you found
My boy, — and how he fell?"
"In front — and in his breaſt the wound?"
"I thank the Gods — 'tis well."

Thus the ſtern Stoic ſooth'd his grief,
And check'd the riſing groan,
By making honour his relief,
And common good his own.

Yet more, the terms of vital breath
He knew, — and chance of war;
That youth is no where ſafe from death,
And glory courts a ſcar.

For yours, — on theſe reflections dwell
When you behold his urn;
And as he like a Roman fell,
Do you like Romans mourn.

True — he was young, — and brave as young —
And generous as brave:
Yet every virtue could not long
Or him or Marcus ſave.

Fly to the truth, — to you 'tis clear,
What Cato wiſh'd to prove,
That virtuous valour ſuffering here,
Shall find its crown above.

EPITAPH on the gallant Major PIERSON, *who was killed in repulſing the French at Jerſey* [44.]

WHat need of ſculpture's marble to impart,
The worth impreſs'd on every Britiſh heart?—
PIERSON's — who ruſhed Invaſion to repel,
And, conqu'ring, cover'd o'er with laurels fell.
Then VICT'RY, 'midſt her triumph, heav'd a ſigh,
And, trembling, bore his ſpirit to the ſky.

EPITAPH on Baron RULLECOURT, *who was killed in an attack upon Jerſey, after having forced his priſoner, the Lieutenant-Governor, to accompany him in the action.* [44.]

HEre ſunk a being, in an injur'd land,
A ſtain to honour, ſoldierſhip, command:
Who ſpurn'd the laws that *generous* foes reſtrain;
And where he could not *conquer*, wou'd have *ſlain*.
But from the hand of Valour ſoon he met
That death the coward once preſum'd to *threat*.
Nor friends nor foes ſhall ever mourn his lot:
When living, infamous, — and dead, forgot.

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For the SCOTS MAGAZINE.

ÆNIGMA.

Ocius huc, Cives, *Fortunæ* intrate facellum,
Quod Dea mancipiis pandit amica ſuis.
En fluit Hiſpani rivus communis Iacchi,
Quodq; vehit Rhenus, quodq; Garumna merum.
Nec liquor ille deeſt, acidis qui dulcia miſcens,
Feſtivi titulum *pumilionis* habet.
Ut faciunt omnes *Fortunæ* ſacra *manenti!*
Ut veteri numen Religione colunt!
Namque *fugittiferi* clauduntur limina *Phœbi*,
Et vacua cuſtos omnis ab æde fugit.

Hi-

HISTORICAL AFFAIRS.

POLAND.

"*Warſaw, Dec.* 18. Dr Moller, whom his Majeſty ſent to Volhynia, has written from that province, that the diſorder which rages there [42. 663.], is not properly the plague, but a fever; which has not proved very fatal, as out of 3000 which are incloſed in the chain of troops, no more than 55 have died; and it appears, that thoſe have not been carried off by the violence of the diſorder, but have been loſt through neglect or improper treatment. — But if Volhynia has eſcaped the plague, the town of Balta has not: Gen. Witte, Governor of Kaminiach, has written to court, that the plague rages in that town, and at Joſefogtod, in the dominion of the republic, and in four of the neighbouring villages; that he immediately cauſed the infected places to be inveſted by the troops; and that 174 perſons have died of this ſhocking diſorder. Mr de Witte adds, that the meaſures he had taken were attended with the happieſt effects; but that he had not ſuffered the chain of ſoldiers to be removed.

The Biſhop of Cajavia had the honour laſt week of preſenting to the King a rare manuſcript in the Greek language, containing all the particulars of the life of the Emperor Charlemagne. His Majeſty accepted this preſent of the prelate, rewarded him with an elegant diamond ring, and ordered the manuſcript to be placed in the royal library."

RUSSIA. [43.]

"*Petersburg, Dec.* 26. The envoy of the States-General having received an expreſs from the Hague, with the formal reſolution by which their High Mightineſſes accede to the armed neutrality, the Barons de Waſſenaer Starrenbergh and de Heckeren Brantzenberg, on the 23d of this month, took upon them the characters of Ambaſſadors-Extraordinary of the Republic, and had the ſame day a public and ſolemn audience of the Empreſs, in which they preſented their new credentials to her Majeſty, ſeated on her throne. This auguſt ſovereign, after teſtifying to theſe ambaſſadors her ſatisfaction at this proceeding of their ſovereigns, appointed a committee to regulate with theſe gentlemen the treaty to be concluded between the two powers. This committee is compoſed of Count Panin, prime miniſter, Count Oſterman, and Mr Bacunin, counſellors of ſtate, and Mr Beſboroka, major-general, and ſecretary of the cabinet."

An Engliſh gentleman writes thus from Peterſburg, Nov. 30. "The Ruſſian officer, brother to the Princeſs Deſchaw, who was taken up in June laſt for being concerned in firing the Sardinian ambaſſador's chapel in London, and was releaſed in compliment to the Ruſſian miniſter at your court, arrived here ſome time ago; but, to his great ſurpriſe, he was immediately ordered into baniſhment in Siberia, there to expiate the violation of the laws of England. Strange as this may appear to you, it is not the leſs true: and though it is unuſual for ſovereigns to puniſh a ſubject for crimes committed againſt the laws of other countries, yet the Czarina has certainly condemned this Ruſſian officer to baniſhment, for no other crime, but that which was committed by him in Duke ſtreet, Lincoln's inn fields. Her Majeſty declared, that as he had preſumed to violate the laws of nations by his attack on the property of an ambaſſador, ſhe held herſelf bound to conſider the laws of Ruſſia as violated by him: and tho' the Engliſh miniſtry had been ſo merciful as to reſcue him from the rigour of the laws of England, in compliment to her miniſter at their court; yet ſhe could not in honour or conſcience ſuffer ſo flagrant an offender to remain one day in her dominions, without making him an example to all Ruſſians who ſhall diſregard laws, however foreign, evidently founded on natural juſtice."

As in our account of the proceedings in the laſt ſeſſion of parliament, the affair mentioned in the preceding paragraph was paſſed without notice, we ſhall here ſupply that omiſſion.

In the Houſe of Lords, June 21. the Duke of Richmond, when cenſuring Ld Amherſt's letters concerning the diſarming of perſons in the time of the London riots [42. 419.], mentioned the diſcharge of a Ruſſian officer who had been in the chapel of the Sardinian ambaſſador with the rioters, June 2. The Lord Chancellor expreſſed a doubt of the truth of his Grace's information. The Duke, June 23. brought witneſſes to prove, that the Ruſſian officer having been apprehended in the commiſſion of an act of felony, and put in cuſtody by a magiſtrate,

magiſtrate, had been diſcharged by an order of a ſecretary of ſtate, without any conſultation with the magiſtrate who put him in cuſtody: and the Lord Chancellor having ſaid, on the 21ſt, that he was informed the Ruſſian officer was perfectly innocent, having ſtrayed into the chapel from mere curioſity, the Duke now replied, that that officer was not an indifferent ſpectator, but an active inſtrument in the outrages then and there committed; nor would he deſiſt, till a ſoldier preſented a bayonet to his breaſt, and obliged him to deſiſt. His Grace therefore moved, That Col. Wynyard, Maj. Gilbert, Adj. Stuart, and three other perſons, be ordered to attend the Houſe on Monday.

Lord Loughborough, who was an eye-witneſs to the whole tranſaction, ſo far as related to the apprehending the Ruſſian officer, and putting him into cuſtody, ſaid, that the ſoldiery, in going to the chapel, went precipitately down Duke ſtreet, and through the paſſage from Lincoln's-inn fields, ſo that a number of perſons, many of them perfectly innocent, were forced into the chapel, among whom was this officer; who, when queſtioned, What he did there? declared, that he was accidentaliy there; that he was a man of rank, had been preſented at court, and had been in company with the Sardinian ambaſſador, who he was ſure muſt recogniſe him immediately, and would know, that it was impoſſible for him to have been inſtrumental in demoliſhing the chapel, or in offering the ambaſſador or his property the leaſt inſult or injury. On this the Sardinian ambaſſador was deſired to ſtep down. The firſt perſon who entered the room happened to be Monſ. d'Ageno, the Genoeſe miniſter, with whom the officer claimed an acquaintance. But M. d'Ageno denied knowing him. This circumſtance, added to the Ruſſian's ſpeaking Engliſh perfectly well, gave all preſent no very favourable impreſſion of him; and that impreſſion was confirmed, when the Sardinian ambaſſador, who came down in a few minutes, did not recollect to have ſeen him, though the Ruſſian claimed an acquaintance with him likewiſe, and ſaid he had dined with him. On this he was detained: and his dreſs and figure beſpeaking him a gentleman, an officer took the charge of him. Next morning, the Ruſſian envoy being applied to by the perſon who had been detained, ſent word, that he was what he deſcribed himſelf to be; and therefore, as he was detained only becauſe he had given a falſe deſcription of himſelf, he was ſet at liberty. It was impoſſible, the Noble Lord ſaid, that he could be proſecuted for felony, no perſon having charged him with any illegal act; only two men could ſay, they ſaw him in the chapel: and therefore there was no ground for detaining him; though, if his Lordſhip were obliged to give his opinion, he ſhould undoubtedly declare, that the Ruſſian officer's behaviour was by no means becoming him.

The Duke obſerved, that what the learned Lord had ſaid, that it was impoſſible for the Ruſſian officer to have been committed for felony, muſt be grounded on preſumption. All that his Lordſhip had ſaid might be true; but how was it poſſible for him to know what witneſſes might have appeared, or what evidence might have come out, a day or two afterwards, upon a proper examination? His Grace ſaid, that there was at that moment below the bar a man who was ready, if called upon, to prove, not only that the Ruſſian officer was in the chapel, not merely from motives of curioſity, but that he ſaw him tearing down the wainſcot, and ſetting it on fire. Let that man be called upon, and queſtioned: it was by ſuch means that the truth would come out.

Lord Stormont ſaid, as the chief part of the blame, if any were due, for diſcharging the Ruſſian officer, lay at his door, for ſending the written meſſage, in conſequence of which he had been ſet at liberty, it was incumbent on him to ſtate to their Lordſhips the cauſe of his taking that ſtep. The firſt he had heard of the matter was, by a letter from the Ruſſian envoy, informing him of the rank of the officer, declaring that he had done no illegal act, and claiming his perſon as a ſubject of the court the envoy ſerved. The letter declared, that the officer had wandered into the chapel very innocently, and from too irreſiſtible and unwiſe a curioſity. Not having heard that the man was detained for any other reaſon than on a ſuſpicion of his being an impoſtor, and of pretending to be the perſon he was not, he immediately cauſed a letter to be written to the officer who had the Ruſſian officer in charge, to ſet him at liberty. Had the officer been given in charge for a felony, undoubtedly

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he would not have been let go on ſo ſlight a letter, as that written by an under-ſecretary of ſtate on the occaſion; but that not being the caſe, he was diſcharged. His Lordſhip added, that he happened himſelf to know the Ruſſian officer, and to be well aware that he was a man of rank and conſideration in his own country.

The Duke declared, that if ſecretaries of ſtate were ſo ignorant of the law, as to ſend an order for the diſcharge of a perſon given in charge by a magiſtrate on ſuſpicion of felony, without the cogniſance of that magiſtrate, they ought not to hold their offices. The Noble Viſcount had owned he did not make the leaſt inquiry into the matter, but took it for granted that the Ruſſian envoy's account was true.

Lord Loughborough ſaid, that the magiſtrate had not given the Ruſſian officer in charge.

The Duke declared, Mr Gilbert had, that very morning, in Weſtminſter-hall, declared to him, that he gave the officer in charge; and at the ſame time ſaid, he wiſhed not to concern himſelf at all in the matter, and had rather not be called upon. His Grace now preſſed that his motion might be agreed to.

The Lord Chancellor acknowledged, that the facts were very different from the light in which they had been deſcribed to him: but it appeared to him like the caſe of a watchman taking up perſons on a night-charge, and their being diſcharged in the morning on their friends giving them good characters.

The Duke turned the Chancellor's caſe, by ſhewing that it did not apply; becauſe there the civil officer took the perſons into cuſtody, and the civil officer diſcharged them; whereas his complaint was, that the ſecretary of ſtate, without any conference or conſultation with the civil magiſtrate, had taken upon him to ſuperſede the law, and diſcharge the man by his ſingle *Fiat*.

The Chancellor obſerved, that the watch took the perſons in cuſtody, and the conſtable of the night diſcharged them; conſequently the caſe was more ſimilar to the preſent than the Noble Duke had imagined.

The Duke replied: and at length the queſtion being put, the motion was negatived without a diviſion.

GERMANY.

The Biſhop of Oſnaburg [43.] arrived at Hanover on the 26th of January, and was ſaluted by a triple diſcharge of cannon from the ramparts.— In his way thither the greateſt attention was paid to his R. Highneſs at Bruſſels, Antwerp, Mechlin, and other places.

A letter from Vienna, of Feb. 12. ſays, —"The preſs is already put upon a much fairer footing than it was on during the late reign; as may be ſeen by a few articles of the edict ſent down to the office by his Imperial Majeſty, all written with his own hand, viz.

"1. All Reviews (of which there are a great multitude in Germany) may be circulated without licence; thoſe relating to publications, or eccleſiaſtical hiſtory, not excepted.

2. So likewiſe all books on the ſubjects of medicine, or law; medical books excepted in which ſecret noſtrums are adverti ſed.

3. All ſtrictures on the conduct of the throne itſelf may be publiſhed in full ſecurity, ſo they do not preſent themſelves in the form of paſquinades. "If there be any thing juſt in them," ſays his Majeſty, "we ſhall profit by them; if not, we ſhall diſregard them." A noble obſervation ſurely! ſtrongly characteriſing the magnanimity of the heart that dictated it.

4. So likewiſe all writings on religious ſubjects, provided they do not attack any of the three religions eſtabliſhed in the Roman empire (the Roman-Catholic, Lutheran, and Calviniſt) in any of their fundamental points.

5. So likewiſe all political news-papers and pamphlets without exception."

UNITED PROVINCES.

"*Amſterdam, Jan.* 11. Holland has never received ſuch a ſevere blow as Great Britain has now given her, by taking ſuch numbers of her ſhips (we have accounts of 150): —but it is not the ſhips we ſo much mind, becauſe we can build new ones in a ſhort ſpace of time; their cargoes indeed we could ill ſpare; but of all our loſſes the ſeamen are the greateſt. We have men of war enough to ſerve our purpoſes for the preſent, but have not ſeamen to man them: 2000 and upwards are ſaid to have been taken on board the above 150 ſail of ſhipping. Almoſt all the ſhips that have been taken belonged to this city, few to Rotterdam, but none to the other ports in this country. Amſterdam will pay for all that will

will be gained by Great Britain in the preſent diſpute between that nation and Holland; all the trade of the Seven United States centers in that city; this has made the merchants of Amſterdam proud, imperious, deſpiſing all nations, and boaſting that Amſterdam is the firſt emporium in the world."

"*Hague, Jan.* 16. In the aſſembly held on the 12th inſtant by the States-General, in which the Prince Stadtholder preſided, their High Mightineſſes came to the reſolution of iſſuing out three placards, and one publication, all of them relative to the means of reſenting, in a ſpirited manner, the injuſtice of the court of G. Britain. By the firſt of thoſe placards, their High Mightineſſes have ordered a prolongation of the fifteen days embargo laid on all the ſhipping in the different ports of this republic. The ſecond prohibits the exportation of any kind of goods to any part of G. Britain. By the third their High Mightineſſes declare their intentions of granting letters of marque and reprifals againſt England, to any perſon or perſons who ſhall apply for the ſame. The publication regulates the diſtribution of prizes, and the rewards or indemnifications intended for thoſe who may be wounded in any naval engagement. His Moſt Serene Highneſs, as Admiral General, gives up his ſhare in ſaid prizes to be applied to the relief of maimed ſailors, their widows, or families.——The province of Zealand, whoſe commercial intereſt is moſt cloſely connected with that of G. Britain, is the only one which ſeemed averſe to the taking thoſe ſpirited meaſures which are now become indiſpenſable. There is now on record a reſolution communicated by the deputies to the States-General. It was preſented on the 8th inſtant, and is to the following purport: "That they continue to perſiſt in their opinion, that a negotiation is the moſt convenient method to put an end to the mutual complaints between G. Britain and this republic, revive their reſpective trade, and preſerve the harmony which has ſo long ſubſiſted between the two nations; the more ſo as it may be effected without their deviating in the leaſt from the honour and independency of the republic: That they do not think that the way to ſuch a negotiation is entirely precluded, and therefore recommend it as the beſt and moſt eligible, profeſſing themſelves ready to deliberate with the other confederates, on the moſt convenient and ſpeedy manner of entering upon and carrying on the propoſed negotiation."—— This declaration, which their High Mightineſſes are far from attributing to any motive of fear, or indifference for the general welfare, a charge that can never be brought againſt a province that has ſo well deſerved of the reſt of the confederates, is further enforced, by the repreſentation of the merchants and traders of Middelburgh, the capital of Zealand, who, in ſupport of the above opinion, obſerve, that the two nations cannot go to war without ſtabbing the very vitals of each other; adding, as a further and powerful incitement to ſome peaceable overture being made, that they have above 1500 Engliſhmen ſettled in their town alone."

By a publication, ſent by the States-General to the reſpective admiralties, to be publiſhed in all their diſtricts, dated, Hague, Jan. 12. 1781, their High Mightineſſes, to encourage the inhabitants of theſe eſtates, do notify, that whatever perſons ſhall, in the preſent war by ſea, become ſo maimed as to be incapable to get their living, ſhall receive the following ſums according to their wounds: 1. For the loſs of two eyes, 1500 florins; and for the loſs of one eye, 350: 2. for the loſs of two arms, 1500 florins; for the loſs of the right arm, 450; and for that of the left, 350: 3 for the loſs of the two hands, 1200 florins; for that of the right hand, 350; and for that of the left, 300: 4. for the loſs of the two legs, 700 florins; and for the loſs of one leg, 350: 5. for the loſs of two feet, 460 florins; and for the loſs of one foot, 200: — and for inferior wounds in the parts reſpectively above mentioned, ſuch ſums as the college of admiralty ſhall think fit: — and ſuch other wounded perſons as are entirely diſabled from gaining their living, ſhall, inſtead of the above, receive a ſilver ducatoon per week during their lives; and for all inferior wounds an allowance ſhall be made in proportion.

England. [49.]

On Wedneſday, Feb. 7. the judge of the court of the admiralty ſat for the firſt time to try the legality of capturing ſome Dutch veſſels; and two were condemned as lawful prizes.

Four orders of council were iſſued, of date Feb. 16. —— In the firſt, the order of Dec. 22. relating to Dutch ſhips in any

any of the ports of his Majeſty's dominions [42. 667.], is recited; and, on a narrative, that his Majeſty has received certain advice, that the States-General have declared, by their placart, dated, Hague, Jan. 26. laſt, that as ſoon as the Dutch ſhips ſhall be permitted to depart from England, the Engliſh ſhips ſhall be no longer detained in their ports, but immediately be permitted to depart, and be provided with paſſports, it is ordered, "That all ſhips and veſſels belonging to the ſubjects of the States-General of the United Provinces, together with the perſons and cargoes on board them, (other than and except ſalted proviſions of any kind, or naval or warlike ſtores), which are now detained, by virtue of the aforementioned order in council of the 22d of December laſt, in the ports of G. Britain, Ireland, or other ports of his Majeſty's dominions, or which had been ſeized and brought into any of the ſaid ports by any of the ſhips of his Majeſty, or his ſubjects, before the order for general repriſals againſt the States was iſſued, and have been already declared, or ſhall hereafter be declared, by ſentence of the court of admiralty, to be the property of ſubjects of the States-General, be forthwith, or as ſoon as ſuch ſentence of the court of admiralty hath been pronounced, releaſed and diſcharged, with free liberty to return to their reſpective ports, and that proper paſſes be granted them for that purpoſe."

In the ſecond, the order of Dec. 15. relating to the plague [42. 708.], is recited; and, on a narrative, that ſeveral advices had been lately received, whereby it appeared, that the phyſicians and ſurgeons employed in examining into the real nature of the diſtemper have declared, that it was no wiſe the plague, as it had been repreſented, but a malignant fever, eaſily cured by proper medicines; and that, in conſeqence of proper meaſures taken, the calamity hath now entirely ſubſided, it is ordered, that the quarantine at preſent ſubſiſting upon ſhips and veſſels coming from Dantzick, or any other port or place in Royal or Ducal Pruſſia or Pomerania, or from any port or place in Courland, Samogitia, or Livonia, be taken off; and that all ſhips and veſſels already arrived, or that may hereafter arrive, from thoſe places, be permitted to diſcharge their reſpective ladings, without unpacking, opening, and airing, and without performing any quarantine; provided they ſhall have no goods or merchandiſe on board the produce of Turky, or the Levant, which may ſubject them to the rules of quarantine, under the directions contained in his Majeſty's order in council, bearing date the 20th of September laſt [42. 551.]; that they bring with them clean bills of health; and that the maſter, or other perſon taking charge of ſuch ſhip or veſſel, do firſt make oath before the cuſtomhouſe-officer or chief magiſtrate, on their arrival at the place where they are bound to, that the crews are free from all infection."

By the third, the prohibition to export or carry coaſtwiſe, any copper, as expreſſed in the order of council of Aug. 18. laſt [42. 442.], is continued for ſix months from the date of this order, Feb. 16. 1781.

By the fourth, the prohibition to export, or carry coaſtwiſe, gunpowder, ſaltpetre, or any ſort of arms or ammunition [42. 613.], is continued for three months from the 23d of February.

Capt. King, of the Reſolution [42. 549.], was preſented to the King, Feb. 14. at the levee, accompanied by Mr Banks, and was moſt graciouſly received. The Captain preſented to his Majeſty the journals kept on board the Diſcovery and Reſolution in their voyage round the world.

In purſuance of royal proclamations, dated, Jan. 12. 1781, Wedneſday, Feb. 21. was obſerved as a faſt all over England, and Thurſday, Feb. 22. as a faſt all over Scotland, to pray for a divine bleſſing on his Majeſty's arms by ſea and land. On this occaſion, their Majeſties attended divine ſervice at the chapel-royal, St James's; the Houſe of Peers, at Weſtminſter abbey; the Houſe of Commons, at St Margaret's; and the corporation of London, at St Paul's. This is the fifth national faſt ſince the commencement of hoſtilities in America. [42. 100.].

The following addreſs was duly circulated;

"To all the Catholic Clergy, ſecular and regular, reſiding in the London diſtrict.

WE take this opportunity, dear brethren, of our publiſhing theſe our regulations for the approaching Lent, to recommend, at the ſame time, moſt earneſtly to you all, and through you to your

your reſpective congregations, to dedicate, in a particular manner, Wedneſday, the 21ſt of February, to be a day of humiliation, penance, and prayer; in order to turn away the wrath of God hanging over our heads for our ſins; to remove from us the ſcourges of war, and thoſe many dreadful evils that are the unhappy attendants of war; and to implore the divine mercy on theſe kingdoms; begging, in particular, for the all powerful grace and bleſſing of God upon our gracious Sovereign, that his ſubjects, being made ſenſible of their duty, may be delivered by him from the evils under which they groan, and may be reſtored to the bleſſings of a laſting peace, under his moſt mild and moſt amiable government.

Given, at London, this 15th day of February, 1781.

JAMES BIRTAHN, V. A."

John Paterſon was tried by a court-martial on board the Prince George, at Portſmouth, Feb. 20. for deſerting from the Romney man of war, and joining the enemy. It appeared from the evidence, that the culprit had offered his ſervices to Com. Johnſtone, and was employed by him as pilot and mate; that he deſerted from the ſhip, but ſoon after delivered himſelf up, and was pardoned; that in a few weeks he left the ſhip a ſecond time, and was appointed ſecond captain of the Infanta Charlotte, a privateer belonging to Spain. In this ſhip he cruiſed againſt the Engliſh, and met with great ſucceſs. Beſides ſeveral capital prizes taken ſingly, he ſhared in our Eaſt and Weſt India fleets taken laſt ſummer. The Tartar frigate happening to fall in with the Infanta, took her without firing a gun; and ſeveral of the Romney's hands being turned over to the Tartar at Liſbon, Paterſon was immediately recogniſed by them, and put in irons. After a ſhort trial, he was found guilty, and ſentenced to be hanged, on Thurſday following, on board one of the war-ſhips at Spithead.

The General Barker, Capt. Todd, one of the Eaſt-India ſhips which arrived at Crookhaven, Jan. 9. [46.] in coming to the Thames, was, by a ſtorm, blown on the coaſt of Holland, and drove on ſhore between Scheveling and Catwyck, about the middle of February. The crew were all ſaved, but made priſoners. The loſs is rated at near 200,000 l. Sterling.

"*Plymouth, Feb.* 19. This morning Col[s] Fullarton's and Humberſton's regiments were embarked on board the outward-bound Eaſt Indiamen.

The common council of London, Feb. 22. ordered 1000 l. to be paid out of the chamber towards the relief of the ſufferers in our Weſt India iſlands by the hurricanes.

Sir Joſeph Yorke arrived at Dover, in the Hanover packet, from Oſtend, Feb. 21. On the 24th he waited on the King, and had a long conference with his Majeſty.

SCOTLAND. [52.]

At a meeting of the town-council of Cupar, the head borough of the county of Fife, Feb. 21. the Provoſt preſented to the Council a packet, addreſſed to him, which he had received a few days before, containing certain printed papers, viz. An addreſs to the committee of the Aſſociation of the county of York, by David Hartly, Eſq; and, An addreſs to the freeholders and electors of G. Britain, by the ſaid Committee of Aſſociation; with their Reſolves, &c. &c. The Council, after having heard theſe papers read by the clerk, were unanimouſly of opinion, "That they are evidently calculated to ſerve the inſidious ſchemes of the enemies of G. Britain, by exciting diſtruſt and jealouſies of government, at a time when every hand ought to be joined, and every nerve ſtrained, to enable his Majeſty to repel the moſt formidable combination of foes, that malice, envy, and a complete aſſociation of the baſeſt principles that can diſgrace human nature, ever ſtirred up againſt any nation. Inſtead, therefore, of entering into private correſpondence with the authors of ſuch publications, or abetting, in any manner, practices that carry the moſt diſtant tendency to ſuch baleful conſequences, they ordered their clerk to cauſe this their opinion to be inſerted in the public newspapers."

Reſolutions or declarations of ſeveral ſocieties for ſupporting the Proteſtant religion appear in our news-papers, from different places of Scotland, expreſſing their apprehenſion of danger to our religion from the toleration now given to Popery in England; and that, if continued, there is reaſon to dread, that that ſuperſtition will extend its direful effects to this part of the united kingdom; adding, that the petitions of the Proteſtant

Aſſociations

Aſſociations in England did not laſt ſeſſion meet with the ſucceſs they deſerved; but that Proteſtants ſhould not be diſcouraged, but their efforts continued with renewed vigour. All expreſs the warmeſt ſympathy with, and greateſt eſteem for, Lord George Gordon.

In the morning of Friday, Feb. 9. the account of Lord George's acquittal was received at Edinburgh by expreſs. It was ſix o'clock on Tueſday morning when the jury returned their verdict, Not guilty. At night the city of Edinburgh and ſuburbs were illuminated by direction of the populace, and many bonfires were lighted up in the city and its neighbourhood. On an application by the magiſtrates to the commander in chief, a party of dragoons arrived in the evening, and the regiment in the caſtle had orders to be in readineſs: there was, however, no diſturbance; and the magiſtrates did not interfere to prevent the illumination. But, at Leith, ſome of Lord George's zealous friends having begun to illuminate, the magiſtrates cauſed the lights to be taken down, and put a ſtop to any illuminations. There were rejoicings in many places of Scotland on this occaſion.

"*Edinburgh, Feb.* 24. Orders are ſent to Aberdeen, for the immediate imbarkation of three companies of the Sutherland fencible regiment, now quartered there, for the protection of Shetland. Col. Wemyſs ſet off this morning to expedite the buſineſs. The party are to be under the command of a major. — There was a fort erected by Oliver Cromwell, at Braſſa ſound, in Shetland. Though this fortification muſt now be in diſrepair, owing to no attention having been paid to it ſince that time; yet, ſhould the Dutch take it into their heads to make a landing there, they might ſoon render the fort tenible, and by that means make an excellent ſettlement for the protection of their fiſhery. —— A veſſel is getting ready at Leith, to convey artillery, &c. for the defence of the iſlands.

By a judgement of the court of ſeſſion, Jan. 19. it is found, that maſters and mates of ſmuggling veſſels may be impreſſed. — In February 1780, the Liberty of Folkſtone having been brought into Leith by three revenue cutters, the whole crew, including Robert and John Browning, the maſter and mate, were impreſſed by order of Capt. Napier, regulating officer of the impreſs-ſervice at Leith. The Brownings pleaded, that maſters and mates of trading veſſels were exempted from being impreſſed; but Capt. Napier refuſed to diſcharge them. They therefore applied for, and obtained a ſuſpenſion, upon finding caution *judicio ſiſti*, under a penalty of 100 l. Sterling each. Informations were afterwards given in: and the court, Aug. 10. "repelled the reaſons of ſuſpenſion, and found the letters orderly proceeded; and in reſpect the ſuſpenders have not ſiſted themſelves this day at the bar in terms of their bond of caution *judicio ſiſti*, find the ſame forfeited, and decern againſt them and their cautioners, conjunctly and ſeverally, for the penalties therein contained." — The Brownings reclaimed; and upon adviſing petition and anſwers, the Lords unanimouſly adhered to their former interlocutor, and found Capt. Napier intitled to expences. —— This judgement proceeded upon undeniable evidence of the ſhip Liberty having been employed in ſmuggling. Had ſhe been engaged in a fair trade, there is no doubt the Brownings would have been found intitled to protection. Though there is no poſitive law exempting the maſters and mates of trading veſſels from being impreſſed, yet there is what is equivalent to it, in favour of perſons falling under that deſcription, — univerſal practice, and the inſtructions iſſued from the Lords of the Admiralty to thoſe employed in the impreſs ſervice, one article of which is in theſe words: "You are not to preſs any boatſwains, carpenters, or firſt mates, belonging to merchant-ſhips of fifty tons burden or upwards, nor any maſters of ſmall veſſels."

Upon an application, by Meſſ. John Cumming merchant in Garmouth, and James Burnett merchant in Portſoy, complaining, that two ſailors whom they had ſubpœna'd to be evidences in an exchequer trial, had been impreſſed, the Barons, Feb. 3. declared, unanimouſly, that no perſon ſubpœna'd to attend a trial can be impreſſed. Sailors therefore need be under no fear of attending as evidences in any trial, being by law protected out and home, whether called by the defendants, or by the plaintiffs, the latter of whom are generally revenue-officers.

CAPTURES. [53.]

By Britiſh men of war.

From the London Gazette.

By the Cerberus: The Grana, a Spaniſh frigate, of 22 ſix and 8 four pounders, and 166 men. On board the Grana the firſt lieutenant and ſix men were killed, and ſeventeen wounded. On board the Cerberus only two men ſlightly hurt.

From Lloyd's Liſt.

By the Hero man of war: Vrow Jarkates, from Liſbon for London; Morni, Murra, from Sherant for Fluſhing; Vrow Catharine, from Oporto for Hamburg; Hoyde Ondername, from Seville for Oſtend; the Endright, from Corunna for Amſterdam, the Friendſhip, from Curacoa for Amſterdam, all carried into Plymouth.

By the Ranger armed ſhip: Catharine, Roodt, from Euſtatia for Amſterdam, carried into Plymouth.

By the Formidable: Maria Cornelia, from Bourdeaux for Rotterdam, carried into Plymouth.

By the Champion: Zee Poſt, from Seville for Amſterdam; Jonge Anna, from Cadiz for Oſtend; Anna Jacoba, from Smyrna; the Rotterdam Packet, from Marſeilles; all carried into Plymouth; and the Jonge Abram Jan, from Bilboa for Amſterdam, carried into Cowes.

By the Echo: The Pearle, Relferia, from Denia for London, carried into Plymouth.

By the Canada: Duc de Vaolis French privateer of 8 guns and 76 men, carried into Plymouth.

By the Pheaſant cutter: Twe Geſuſters, from Curacoa for Holland, with tobacco, coffee, &c. carried into Portſmouth.

By the Wolf ſloop: Concordia, Thomas, from Cadiz for Rotterdam, with wool, carried into Portſmouth.

By the Warwick: Tys Syemens, from L'Orient for Rotterdam, with tobacco; and Jonge Gebrant, from Bourdeaux for Amſterdam, with wine, both carried into Portſmouth.

By the Monſieur and Perſeus: An outward Dutch Eaſt-Indiaman, richly laden, carried into Portſmouth.

By the Flying-fiſh cutter: Jubeleum, Newman, from Stettin for Bourdeaux, with deals, &c. carried into Portſmouth.

By the Nimble cutter: A lugger privateer, of 12 carriage guns, carried into Portſmouth.

By the Kite cutter: A brig from Stockholm for L'Orient, with pitch and tar, carried into Portland road.

By the Roſe cutter: The Vertrouen, carried into Lymington.

By the Flora frigate: St Peter, Kernoth, from Alicant, with raiſins, &c. carried into Portſmouth.

By the Daphne: D'Hopende, Janze, from Malaga, with wine, &c. carried into Portſmouth.

By the Oporto ſloop: The Olivia, Spaniſh privateer, from Oporto, carried into Plymouth.

By the Brune: Zeldenruſt, from Gijon for Oſtend; and the Reſolution, from Boſton, both carried into Plymouth.

By the Fury, Agnew: A Dutch hoy, from Leith for Amſterdam, carried into the Humber.

By the Hyena: The Miflin privateer, carried into Charleſtown.

By the Stag frigate: A ſmuggling privateer of 16 guns, laden with brandy, tea, &c.

By the Alexander: A large French privateer of 30 guns, and the Rotterdam, a Dutch ſhip, both carried into Portſmouth.

By the Favourite: Endraght, from Euſtatia for Amſterdam, carried into Plymouth.

By Britiſh privateers, &c.

By the Sarah and Rachel privateer: Lady Wobetha, from Dantzick, carried into Plymouth.

By the Fame privateer: A French polacre, laden with wine, flour, &c carried into Gibraltar.

By the Jupiter, Wade: A veſſel from Santa Cruz for Cadiz, carried into Kingroad; and a Dutch ſhip from Amſterdam for Cadiz, carried into Briſtol.

By the Garland cutter, and Good Intent privateer: The Snette Taager, from Cadiz for Oſtend, with brandy, carried into Plymouth.

By the Hornet letter of marque: The New Defence, from Baltimore, with 360 hhds of tobacco, ſent for St Kitts.

By the Waſp cutter of Folkſtone: The D'Oly, Moolin, from Cadiz for Amſterdam, with indigo, coffee, wine, &c. carried into Portland road.

By the Two Brothers privateer of Folkſtone: A large Dutch galliot, from Cadiz for Amſterdam, with cotton, indigo, &c. carried into Dartmouth.

By the Brilliant lugger: The Four Siſters, from Toulon for Amſterdam, carried into Plymouth.

By the Endeavour privateer: The Weſt Chapel, from Curacoa for Middleburgh, carried into Plymouth.

By the Tamer privateer of Weymouth: A ſloop from L'Orient for Breſt, carried into Weymouth; and a St Domingo ſhip, which ſhe left at ſea.

By the Fortitude privateer of Portſmouth: The

The Jonge Jan, Doonkin, from Bayonne, carried into Portſmouth.

By the Penryn privateer: A large Dutch ſnow, from Surinam, a valuable prize, carried into Falmouth.

By a Folkſtone privateer: A French cutter privateer, together with three Engliſh coaſters, retaken, all carried into Falmouth.

By the Alexander privateer of London: The Jonge Frederick, from Trieſte for Oſtend, laden with cotton, wool, &c. carried into Falmouth.

By the Maidſtone privateer, Kilmany: Seven ſhips, laden with ſugar, cotton, &c. carried into Mahon

By the Maidſtone and Trimmer privateers: Two ſhips, laden with ſugar, &c. carried into Mahon.

By the Dolphin privateer: A Dutch ſhip, with wainſcot logs, &c. carried into the Humber.

By the Surpriſe cutter of Cowes, and a Folkſtone lugger: The Heart of Oak, Lloyd, from Carmarthen for Falmouth; and Nancy, Weſt, from Tingmouth for Liverpool, both retaken.

By the Hector privateer of London, Jefperſon: Le Heſter letter of marque, from Marſeilles for the Iſles of France, laden with ſoap, carried into Algiers; a large ſhip with maſts, ſpars, &c. and two others, carried into Mahon

By the Flying Fiſh privateer of Hull: Two Dutch fiſhing veſſels, carried into the Humber.

By the Dragon privateer of Liverpool: A large Dutch ſhip, from Curacoa for Amſterdam, carried into Waterford, valued at 15,000 l.

By the Betſey privateer of Dartmouth: The Maria Eliſabeth, from Smyrna, carried into Dartmouth; and two ſhips from Barcelona, ſaid to be worth 50,000 l.

By the Orange privateer of London: The Providence privateer, retaken, and carried into St Ives.

By the Enterpriſe privateer of London: Vrow Catharina, from Demarary for Amſterdam, with ſugar, coffee, and cotton, carried into Falmouth.

By the Mars privateer: A Dutch ſhip from Liſbon for Rouen, with cotton, rice, &c. carried into Dartmouth.

By whom taken not mentioned: The Yellow Sea, from Amſterdam for St Euſtatia; the Juffrow Gertrude, from Nantz for Oſtend; the Hampſtead, from Genoa and Leghorn; the Suffrow Gornelia Hermina, from Cadiz: the Adrian and Jacob, from Malaga; the Eldrick Harmans, from St Martin's; the Friendſhip from Dominica, and the Palm tree from Bourdeaux, both for Rotterdam; the Wilhelmina, Joſephus, from Liſbon; the Fleece, from Rochelle for Roan; all the above are Dutch prizes, and are carried into Plymouth; the Amiable Roſalia, from France for St Domingo; a large Dutch ſhip, of 120 feet keel, laden with maſts, under convoy of a Dutch man of war, taken by an open boat, and carried into Dover; Juffrow Sibella, from Liſbon; Juffrow Eliz. from Valencia; Vrow Maria, from Barcelona; Vrow Eliz from Smyrna; Stadt De Workeem, and two Brothers, both from Bourdeaux; the laſt ſix for Amſterdam; Lieftie, from Alicant; Weerke, from France for Oſtend; Jonge Vrow Agneta, from Liſbon for Zurickzee; Lindebon, from Bourdeaux for Rotterdam; Stadt Zurickzee; St Peter, from Alicant; Samaritan, from France for Flanders; Vreede and Zee Vaart, both from Amſterdam for Breſt; Wobetagekomen, from Dantzick for Bourdeaux; Juffrow Wiſke, from Seville; Meuretze, from Chalante for Fluſhing; Vrow Johanna from Nantz for Leghorn; Jonge Henderick from Malaga for Middleburg; the Windſor, Haliburton, from St Lucia for Halifax, and the Fly, Hamilton, both retaken, and carried into New York; A Dutch dogger, with fruit, carried into Salcombe; — the following eight prizes are carried into Falmouth, viz Goed Verwagting, from Charant; St Orlando, from Cette; Young Vrow Gorharda, and Vrow Fanna, both from Smyrna; Young Vrow Anna, from Malaga; Vilveran Van Frankfort, from Salo; Eleanor, Baſra, from Port Mahon; and Young Frederick, from Trieſte; the Friendſhip, Hucken, from Grenada for Amſterdam, carried into Tortola; the St Spiridion, Bakkar, from Smyrna for Amſterdam; Vrow Antonio Eliſabeth, from Cette for Amſterdam, with brandy, &c. carried into Portſmouth; the Catharina, Stuileman, a large Dutch ſhip, from Smyrna for Holland, ſent for Plymouth; the Ufrow, Catharina, from Alicant, carried into Falmouth; the Catharina, Strootman, a rich Dutch ſhip, brought into Plymouth; the Holland, from Grenada for Amſterdam, carried into Mevageſſey; — the following nine Dutch prizes are carried into Scilly, the Young Gillis, Riding, from Smyrna for Rotterdam; Reſolution, Reurd, from Genoa for Oſtend; Young Jacobus, Vanderſwan, from Corke for Rotterdam; Vrow Henrietta, Veniter, from Cette for Oſtend; Young Cornelis, from Cette for Oſtend; Delieria Maria, and Zelden Ruſt, both from Cadiz for Amſterdam: Young Petronella, Youez, from Liſbon for Amſterdam; and Young John, Roeloſs, from Bourdeaux for Rotterdam.

By the French, &c.

The Hazard, Penrice, from London for Guernſey, carried into St Maloes.

The Suſannah, Parker, from Corke for Charleſtown, carried into America.

The

The Mollys, Douglas, from Newcaſtle for Gibraltar, carried into Cadiz.

The Mur, Henley, from Newfoundland for Charleſtown, carried into Salem.

The Mary's Planter, from Jamaica for London, carried into Salem.

Taken, but whither carried not mentioned: The Richmond, Jamieſon; Ajax, Hunter; and Richard, Robertſon, all from Clyde for Charleſtown; the Ranger ſloop of war; the Mary from Yarmouth for Corke; the Lockhart, Goodridge, from Viana for Newfoundland; the Rover, Gay, from Briſtol for South Carolina.

Taken, but ranſomed: The Jean, Macleiſh, from Clyde for Waterford, for 1600 guineas; the Earl of Dunmore, for 2500 guineas.

MARRIAGES.

Feb 2. At Hawkhill, near Dundee, James Mayne, Eſq; of Powis Logie, to Miſs Mary Crawford, eldeſt daughter of Henry Crawford, Eſq; of Monorgan.

11. At Montroſe, Henry Ivie, Eſq; of Mount-Alto, in Ireland, to Miſs Helen Nicolſon, daughter of the deceaſed Sir William Nicolſon of Glenbervie, Bt.

12. At Edinburgh, Mr John Wilſon, merchant in Paiſley, to Miſs Margaret Sym, daughter of Mr Andrew Sym merchant in Glaſgow.

13. At Lady Irvine's ſeat, in England, Lord William Gordon, brother of the Duke of Gordon, to Miſs Ingram Shepheard, a ward of the Chancellor, who oppoſed the marriage.

20. At Montroſe, Alexander Lyell, Eſq; younger of Gardyne, to Miſs Renny, daughter of the deceaſed Mr Alexander Renny, merchant in Montroſe.

26. At Paiſley, Mr Robert Boag, one of the miniſters of Paiſley, to Miſs Fulton, daughter of the late Mr Humphry Fulton, merchant in Paiſley.

BIRTHS.

In the pariſh of Leſmahago, the wife of David Aitken, a labourer, of one boy and two girls, all likely to do well. The father is upwards of 70 years of age, and the mother about 40.

Feb. 3. The lady of James Ker, Eſq; of a ſon.

8. Mrs Roſe, widow of Dr Roſe, phyſician in Forres, of a ſon. [42. 617.]

12. At Purves-hall, the lady of Sir Alexander Purves of Purves, Bt, of a daughter.

27. At Binns-Houſe, the lady of Sir Robert Dalyell, Bt, of a daughter.

DEATHS.

Sept 30. 1780. In America, of the wounds he received at the battle of Camden, Capt. Richard Cotton, of the 33d foot. [42. 488.]

Nov. 14. In Jamaica, Alexander Edwards, captain in the 92d regiment of foot, and paymaſter.

Jan. 15. Maria Anne Victoria, Queen-dowager of Portugal, and ſiſter of the King of Spain. This Princeſs was born March 31. 1718, and was married Jan. 29. 1729 to Joſeph I. King of Portugal.

19. At Edinburgh, whither he had gone for the education of his ſon, John Preſton, Eſq; member of parliament for the borough of Navan in Ireland, and nephew to the Earl of Ludlow. By his death, a very great and extenſive property devolves to his eldeſt ſon, now at the univerſity of Edinburgh.

At Pauls Walden, in the county of Herts, Mrs Bowes, relict of George Bowes, Eſq; and mother by him of the Counteſs-dowager of Strathmore. By her death, a jointure of 2000 l. a-year devolves to Andrew Robinſon-Bowes, Eſq; member of parliament for Newcaſtle-upon-Tyne, huſband to the Counteſs of Strathmore. She has bequeathed that ſuperb and elegant ſeat, at Pauls Walden, as a reſidence for Lady Strathmore. The greateſt part of her fortune, amounting to between three and four hundred thouſand pounds, in a real and perſonal eſtate, goes to the Hon. George Bowes, a boy of ſeven years old, ſecond ſon of the late Earl of Strathmore. She has left ample legacies to her friends, ſuitable bequeſts to her domeſtics, and a conſiderable ſum for charitable purpoſes.

Feb 6. At Clints, David Vere, Eſq;

6. At Bath, the Counteſs of Athburnham.

7. At Pitgavnie, near Elgin, James Brander, Eſq;

9. At London, Mrs Loveken, a maiden lady, aged 101. She came over from Hanover in the reign of Geo. I.

10. At Corke, John Brown, Eſq; lieutenant-colonel of the marine-forces.

10. Mr James Johnſton, merchant in Glaſgow.

12. At his Lordſhip's ſeat of Hopetoun-Houſe, Linlithgowſhire, John Hope, Earl of Hopetoun, Lord Hope, &c. &c. in the 77th year of his age [99.]. His Lordſhip was thrice married. 1. In June 1734, he married Lady Anne Ogilvie, ſecond daughter of James Earl of Findlater and Seafield; by whom he had iſſue four ſons and three daughters, viz. Charles, born July 2. 1740, who died a bachelor; James, born Aug. 31. 1741, who ſucceeds his father in honours and eſtate, and who, Aug. 21. 1766, married Lady Eliſabeth Carnegy, eldeſt daughter of the Earl of Northeſk, by whom he has iſſue, John, born Aug. 31. 1743, who died a bachelor; Henry, born Feb. 25. 1754, who alſo died a bachelor; Eliſabeth, who was married, July 24. 1754, to Henry Earl of Drumlanrig, who died without

out iſſue in a few months after the marriage, and the lady died in 1756; Henrietta, born April 15. 1746; and Sophia, born Feb. 1. 1759, not many days before her mother's death, who is married to Lord Binning, and has iſſue. — 2. In 1762, his Lordſhip married Miſs Jane Oliphant, ſiſter of Robert Oliphant, Eſq; of Roſſie; by whom he had iſſue one ſon and two daughters, viz. John, born Sept. 17 1765; Anne, born Oct. 7 1763, who died in 1780, and Jane, born Nov. 22. 1766. — 3. In 1767, his Lordſhip married Lady Eliſabeth Leſlie, ſecond daughter of Alexander Earl of Leven; by whom he had iſſue two ſons and four daughters, viz Charles, born Oct. 16 1768; Alexander, born Dec. 9 1769; Eliſabeth, born Oct. 16. 1768, twin-ſiſter to Charles; Charlotte, born May 4 1771; Margaret, born June 24. 1772; and Mary-Anne, born July 12. 1773.

12. Suddenly, of the gout in his ſtomach, Gen. Sir Richard Peirſon, K. B.

15. At London, after a few days illneſs, the Lady of Lord Loughborough, Lord Chief Juſtice of the court of common pleas, a lady of Yorkſhire. She died without iſſue.

16. At his houſe of Hilton, in the Mearns, William Grant of Tulloch.

17. At Edinburgh, Mrs Margaret Fullarton, ſiſter of the late William Fullarton of Fullarton, Eſq;

19. At Canterbury, aged 106, Frederick Legrange, a French weaver.

20. At Gamlingay, Cambridgeſhire, Mr Thomas Shepherd, aged 108.

24. At Elgin, Mr William Burnet, ſheriff-ſubſtitute of that county.

At London, Alexander Baillie, Eſq; many years ſolicitor of the wine-licence branch in the ſtamp office. He left 1500 l. for the erecting of a monument to the memory of William Earl of Mansfield, at that Nobleman's death, and 20 l. to the perſon who ſhould, at that period, write the beſt epitaph, to be inſcribed on his Lordſhip's monument.

PREFERMENTS.

From the London Gazette.

The King has been pleaſed,

Feb 17. to grant the dignity of a Viſcount of Great Britain to George Lord Edgcumbe, and his heirs-male, by the title of Viſcount Mount Edgcumbe and Valletort.

War-office, Feb. 3.

1ſt dragoons: Capt.-Lieut. James Chriſtie to be Captain of a Troop, vice James Wilkie; and Lieut. Henry Thomas to be Captain-Lieutenant, vice James Chriſtie.

25th foot: Lieut. Charles Williamſon to be Captain, vice Charles Watſon.

29th foot: Lieut. Charles Williams to be Captain, vice Nicholas Aylward Vigors.

60th foot, 1ſt batt.: Capt.-Lieut. George Hallam to be Captain, vice George Montgomery Metham; and Lieut. John Peter Rochat to be Captain, vice George Hallam.

84th foot: Capt. Patrick Sinclair, late of the 15th foot, to be Captain, vice ——— M'Dougal.

100th foot: Lieut. John Johnſton, of 1ſt foot, to be Captain.

War-office, Feb. 10.

1ſt foot-guards: Capt. Charles Talbot to be Captain of a Company, vice Robert Hampden Pye.

Coldſtream foot-guards: Maj. William Lord Cathcart, of 38th foot, to be Captain of a Company, vice James Hamilton.

52d foot: Capt. Henry Thurloe Shadwell, of 90th foot, to be Captain of a Company, vice Charles Newton.

90th foot: Capt. Charles Newton, of 52d foot, to be Captain, vice Henry Thurloe Shadwell.

95th foot: Capt. James Corbet to be Major, vice Francis Peirſon; and Lieut. Gilbert Waugh to be Captain, vice James Corbet.

John Taubman, Eſq; to be Captain in the Army.

War-office, Feb. 13.

23d foot: Capt. Frederick Mackenzie to be Major, vice Thomas Mecan; Capt.-Lieut. Charles Apthorpe to be Captain, vice Frederick Mackenzie; and Firſt-Lieut. John Blucke to be Captain-Lieutenant, vice Charles Apthorpe.

33d foot: Capt.-Lieut. William Gore to be Captain, vice Allan Malcolm; and Capt.-Lieut. James Ingram, of 70th foot, to be Captain-Lieutenant, vice William Gore.

38th foot: Lieut. Henry Pottinger, of 37th foot, to be Captain, vice William Wade

70th foot: Lieut. Thomas Nicoll, of 33d foot, to be Captain-Lieutenant, vice James Ingram.

Joſeph Hutchinſon, Gent. to be Surgeon to the garriſon of Bermudas.

War-office, Feb. 17.

15th dragoons: Lieut. Lewis Majendie to be Captain-Lieutenant, vice William Courtney Cruttenden.

19th dragoons: Capt.-Lieut. John Quantock, of the 21ſt dragoons, to be Captain, vice Fewſter Johnſon.

10th foot: Lieut. Jeremy Liſter to be Captain, vice George Thwaites.

28th foot: Lieut. Thomas Meyrick, of 6th foot, to be Captain, vice William Jephſon.

35th foot: Capt. John Gillan, of 55th foot, to be Major, vice Edward Drew.

46th

46th foot: Lieut. Samuel Bathurſt to be Captain-Lieutenant, vice Alexander David Bradſhaw.

55th foot: Capt.-Lieut. William Gomm to be Captain, vice John Gillan.

74th foot: Maj. Robert Montreſor, of 100th foot, to be Major, vice John Campbell.

100th foot: Maj. John Campbell, of 74th foot, to be Major, vice Robert Montreſor.

Capt. Hon. John Rawdon, of 4th foot, to be Captain of Yarmouth caſtle in the Iſle of Wight, vice William Burrard.

Maj. Henry Rooke, of 100th foot, to be Major in the Army; Oct. 11. 1779.

War-office, Feb. 24.

Coldſtream foot-guards: Capt. William Auguſtus Boſcawen to be Captain of a Company, vice Robert Lovelace.

12th foot: Lieut. Robert Adair, of 12th foot, to be Captain, vice Donald M'Bean.

Dr Richard Proctor to be Phyſician to the forces under the command of Sir Henry Clinton, vice Michael Morris.

1ſt foot-guards: Maj.-Gen. William Thornton to be Lieutenant-Colonel, vice Francis Craig; Col. Weſt Hyde to be Firſt Major, vice William Thornton; Col. Sir John Wrottesley, Bt, to be Second Major, vice Weſt Hyde; Col. Thomas Cox to be Third Major, vice Sir John Wrottesley, Bt; Lt Col. Frederick Thomas to be Captain of a Company, vice Thomas Cox; and Capt. Thomas Colins to be Captain-Lieutenant, vice Frederick Thomas.

War-office, Feb. 27.

60th foot: Capt.-Lieut. John Peter Rochat to be Captain, vice Ralph Phillips; and Lieut. George Brown to be Captain-Lieutenant, vice John Peter Rochat.

79th foot: Capt.-Lieut. Edward Marcus Deſpard to be Captain, vice Edward Jenkins; and Lieut. Clotworthy Dobbins to be Captain-Lieutenant, vice Edward Marcus Deſpard.

85th foot: Capt.-Lieut. Alexander Salans to be Captain, vice Thomas Mawhood; Lieut. Henry Webb to be Captain-Lieutenant, vice Alexander Salans; Capt.-Lieut. George Munro, of 88th foot, to be Captain, vice John Rowe; and Capt. Ralph Phillips, of 60th foot, to be Major, vice Henry Phipps.

88th foot: Maj. Henry Phipps, of 85th foot, to be Lieutenant-Colonel, vice Sir Alexander Leith; and Lieut. Thomas Stribbling to be Captain-Lieutenant, vice George Munro.

Commiſſions ſigned by his Majeſty for the Army in Ireland.

Capt. Henry Bower, of 66th foot, and Deputy-Adjutant General in Ireland, to be Major in the Army.

13th dragoons: Lt-Gen. Francis Craig to be Colonel, vice Gen. Sir Richard Peirſon, K. B. deceaſed.

Capt. Thomas Jarratt, of the corps of engineers in Ireland, to be Major in the Army.

Prices of grain at Haddington, March 10. 1781.

	Beſt.	*Second.*	*Third.*
Wheat,	21s. 0d.	20s. 3d.	18s. 9d.
Bear,	14s. 9d.	13s. 4d.	12s. 6d.
Oats,	12s. 6d.	12s. 0d.	10s. 9d.
Peaſe,	10s. 6d.	10s. 0d.	9s. 10d.

Edinburgh, March 20 1781. Oat-meal, 11d. Bear-meal, 7d. Peaſe-meal, 6d. 2 f.

Burials in the Grayfriars church-yard, Edinburgh, in February 1781.

Males 44 } 81. Decreaſed 12.
Females 37 }

Age	No	Between	No	Diſeases.	No
Under 2	33	40 & 50	4	Aged	7
2 & 5	14	50 & 60	4	Aſthma	2
5 & 10	4	60 & 70	6	Bowelhive	3
10 & 20	3	70 & 80	3	Chincough	2
20 & 30	4	80 & 90	3	Conſumption	21
30 & 40	2	90 & 100	1	Cramp	1
				Dropſie	1
				Fever	8
				Killed by a fall	1
				Small pox	28
				Stillborn	1
				Suddenly	1
				Teething	5

PRICES of STOCKS.

Feb. 14 1781.

Bank Stock, 108 1 half a 1 4th.
India ditto, 148 a 147 1 half.
3 per cent. Bk red. 57 5 8ths a 3 8ths.
3 per cent. Conſ. 58 7 8ths a 5 8ths
3 1 half per cent. 1758, 58 1 4th a 3 8ths.
4 per cent. Conſ. 57 5 8ths a 3 4ths.
Ditto New 1777, 72 1 8th a 72.
India Bonds, 9s. a 11s. Pr.
Navy and Vict. Bills, 15 3 8ths a 1 half.
Long Annuities, 16 1 8th a 1 16th.
Ann. 1778, 11 3 4ths a 13 16ths.
Exchequer Bills, 4s. a 5s. Pr.

Feb. 23.

Bank ſtock 107.
India ditto, 146 1 half.
South Sea New Ann. 55 1 half a 1 4th.
3 per cent. Bk red. 57 1 half a 1 4th.
3 per cent. Conſ. 58 1 half a 1 8th.
Ditto 1751, 54 1 half.
4 per cent. Conſ. 57 1 half a 1 4th.
Ditto New 1777, 72 a 71 1 half a 5 8ths.
India Bonds, 6s. a 8s. Pr.
Navy and Vict. Bills, 13 1 half per cent.
Long Annuities, 15 7 8ths a 15 16ths.
Ann. 1778, 11 9 16ths a 5 8ths.